

PART II - CODE OF ORDINANCES  
Chapter 110 - TRAFFIC AND VEHICLES  
ARTICLE IV. - AUTOMATED TRAFFIC ENFORCEMENT

## Chapter 110 - TRAFFIC AND VEHICLES <sup>[103]</sup>

<sup>(103)</sup> **Cross reference**— Alcoholic beverages, ch. 6; courts, ch. 30; fire prevention and protection, ch. 46; law enforcement, ch. 62; manufactured homes and trailers, ch. 70; offenses, ch. 74; parks and recreation, ch. 78; streets, sidewalks and other public places, ch. 98.

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<sup>(103)</sup> Related laws reference—Traffic and vehicles, art. VII.

<sup>(103)</sup> **State Law reference**— Authority to provide devices to control the flow of traffic, Ga. Const. art. 9, sec. 2, par. 3(a)(4); Uniform Rules of the Road, O.C.G.A. § 40-6-1 et seq.; power of local authorities generally, O.C.G.A. § 40-6-371; adoption of uniform rules of the road by local authorities, O.C.G.A. § 40-6-372; prosecution of traffic offenses, O.C.G.A. § 40-13-1 et seq. (Back)

### ARTICLE I. - IN GENERAL

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#### **Sec. 110-1. - Traffic engineering.**

The department of transportation shall direct or perform all traffic engineering studies which may be necessary for the safe and efficient operation of the county road system. The department shall also maintain all traffic control signs, markings and devices in the county system established pursuant to this chapter.

(Code 1978, § 8-1001)

**Sec. 110-2. - Uniform rules of the road adopted.**

Pursuant to O.C.G.A. §§ 40-6-372—40-6-376, O.C.G.A. §§ 40-6-2—40-6-395, known as the uniform rules of the road, and the definitions contained in O.C.G.A. § 40-1-1, are hereby adopted as and for the traffic regulations of the county with like effect as if recited in this section.

(Code 1978, § 8-1002)

**Sec. 110-3. - Traffic, speed, parking and other zones, signs and traffic control devices.**

(a) Upon approval of the board of commissioners, the director of the county department of transportation, or a designee thereof, is authorized to designate and maintain by appropriate traffic control signs, markings and devices:

- (1) Crosswalks at intersections where there is particular danger to pedestrians crossing the roadway;
- (2) Other safety zones for pedestrians;
- (3) Traffic lanes;
- (4) Speed, parking, or other traffic control zones (a listing of speed zones is on file in the county clerk's office, as well as a copy of signs to be erected by the appropriate transportation department, as provided in Ord. of 1-21-93);
- (5) Stop, yield, one-way and other directional devices; and
- (6) Any other sign, marking, device or zone necessary for orderly and safe conditions on the roads and streets of the county.

(b) All traffic control signs, signals, devices and markings shall conform to specifications in the Manual on Uniform Traffic Control Devices adopted by the state transportation board. All signs and signals required under this chapter for a particular purpose shall so far as practicable be uniform as to type and location throughout the county. All traffic control devices so erected and not inconsistent with the provisions of state law or this Code shall be official traffic control devices of the county.

(c) The director of the department of transportation shall keep and maintain an accurate official map, maps or description setting out all traffic zones, markings, signs and other traffic control devices. The maps and any amendments or changes thereto shall be adopted by resolution of the board of commissioners. An official copy thereof shall be kept in the office of the county clerk; shall be available to the public; and copies certified by the county clerk shall be admissible in court as proof of the location of any traffic zone, marking, sign or other traffic control device.

(d) No person shall be charged with violating a traffic zone, marking, sign or other traffic control device unless appropriate signs, markings or devices are in fact operating or in existence on the streets involved.

(e) Any violation of any traffic zone, marking, sign or other traffic control device established under this chapter shall be a violation of this Code.

(Code 1978, § 8-1003; Ord. of 1-21-93)

**Sec. 110-4. - Transportation of building materials.**

(a) It shall be unlawful for any person to haul or transport any building materials by means of any vehicle between the hours of 8:00 p.m. and 7:00 a.m., unless the driver of the vehicle has in his possession documents establishing the ownership of such building materials; the vehicle is owned by a governmental entity or public utility and is operated by an authorized employee of such governmental entity or utility; or the vehicle is subject to regulations of the state public service commission or the Interstate Commerce Commission. As used in this section, the term "building materials" shall mean and include any new materials customarily used in building or construction work and which have a reasonable fair market value in excess of \$100.00.

(b) Any person violating the provisions of this section shall be fined up to a maximum of \$200.00 and by imprisonment in the county jail for a period not in excess of 60 days. Such fine shall not bar prosecution or conviction for any related offense upon showing that the person convicted was unlawfully in possession of building materials concerned.

(Code 1978, § 8-1004)

**Sec. 110-5. - Insurance coverage required.**

(a) *Required for operation.* An owner or any other person who knowingly operates or knowingly authorizes another to operate a motor vehicle without effective insurance on such vehicle or without an adequate plan of self-insurance shall be guilty of a violation of a county ordinance.

(b) *Penalties.* Every person convicted of a violation of this section shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than 12 months, or by both such fine and imprisonment.

(Code 1978, § 8-1005)

**State law reference—** Proof of insurance required, O.C.G.A. § 40-6-10.

**Sec. 110-6. - Proof of insurance coverage required.**

(a) *Kept in vehicle.* The owner of a motor vehicle shall keep proof or evidence of insurance coverage on the motor vehicle in the motor vehicle at all times during operation.

(b) *Penalties.* Every person convicted of a violation of this section shall be punished by a fine not to exceed \$25.00.

(Code 1978, § 8-1006)

**Sec. 110-7. - Reduction of speed limit on roads under construction.**

The director of the department of transportation of the county is empowered to reduce the speed limit on any road under construction if, in the opinion of the director of the department of transportation, maintaining the currently posted speed limit would pose a safety problem during the construction period. The temporary speed limit would be determined by the director of the department of transportation, being the maximum safe speed under the circumstances. Any such change in the speed limit shall be posted on the roadway and removed upon the completion of the construction activity. The temporary speed limit shall be in effect only until the director of the department of transportation has determined that all construction activity has ceased.

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(Code 1978, § 8-3010)

**Sec. 110-8. - Vehicle immobilization devices.**

(a) *Purpose.* The county finds that the immobilization "booting" of vehicles by private companies leads to unnecessary anger, conflict, a drain on public safety resources better spent elsewhere, and does not resolve the issue of improper use of a parking space. The county has determined vehicle immobilization services to be unnecessary and not in the best interests of Gwinnett County.

(b) *Definitions.* The following words, terms, and phrases, when used in this document, shall have the meanings, ascribed to them in this section, unless where the context clearly has a different meaning:

*Vehicle immobilization device or boot* shall mean any mechanical device that is designed or adopted to be attached to a wheel, tire, or other part of a parked motor vehicle so as to prohibit the motor vehicle's usual manner of movement or operation.

*Operator* shall mean any person, including a sole proprietor, independent contractor, partnership or similar business entity, operating vehicle immobilization devices for a vehicle immobilization service.

*Vehicle immobilization service* shall mean a person, including sole proprietor, independent contractor, partnership or similar business entity, offering services anywhere in the unincorporated portions of Gwinnett County whereby vehicles are immobilized by the installation of a vehicle immobilization device.

(c) *Prohibition.* Immobilization of the vehicle of another by use of a boot or other like device is prohibited in unincorporated Gwinnett County.

(d) *Violations.* In addition to the penalties provided in subsection (f), any person(s), operator or vehicle immobilization service found to have violated this section may be prosecuted as provided in subsection (f).

(e) *Enforcement.* The Gwinnett County Police Department shall be responsible for the enforcement of this section.

(f) *Penalty.* The operator cited pursuant to this section shall be liable for a monetary penalty not to exceed \$1,000.00. Citations shall be issued by the Gwinnett County Police Department in accordance with set policy.

(Ord. of 2-20-07, § 1) <p class="sec"><a class="showURLs" href="javascript:void(0)" >Secs. 110-9—110-30. - Reserved.

## ARTICLE II. - TRUCKS

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**Sec. 110-31. - Penalty for violation of article.**

Violation of any of the sections of this article or any part thereof shall be punishable by the judge of the county recorders' court by a fine set forth by the county board of commissioners.

(Code 1978, § 8-2008; Ord. of 11-13-07, § VIII)

**Sec. 110-32. - Certain trucks restricted to truck routes.**

All motor vehicles having a Gross Vehicle Weight Rating (GVWR) or vehicle combinations with a Gross Combination Weight Rating (GCWR) in excess of thirty-six thousand (36,000) pounds, except vehicles designed to carry passengers, are prohibited from using any street within the unincorporated County except those authorized as truck routes by this ordinance [Ordinance No. TAV-2010-001], as designated in Appendix A [section 110-36]. GVWR is the total weight a vehicle is rated to carry by the manufacturer, including its own weight and the weight of its load. GCWR is determined by adding the GVWR of the motor vehicle and the GVWR of any towed unit(s). In the absence of a manufacturer assigned GVWR for a towed unit(s), the GVWR shall be the actual weight of the towed unit including any load carried thereon.

Restricted vehicles must stay on designated truck routes UNLESS a destination necessary for business, such as a pickup or delivery point, garage, or terminal is accessible only via a non-designated truck route. Ingress and egress to and from such points shall be made by most direct route available from nearest designated truck route.

(Code 1978, § 8-2001; Ord. of 11-13-07, § I; Ord. No. TAV-2010-001, 12-14-10)

**Sec. 110-33. - Certain trucks prohibited.**

No vehicle shall be operated on any public road maintained by Gwinnett County designated as a truck route with a total gross weight in excess of fifty-six thousand (56,000) pounds unless the vehicle is making a pickup or delivery on such road. (Exception: Ozora Road from the Walton County line to SR 20 and Cooper Road from SR 20 to US 78/SR 10. The 56,000 pound limit is increased to 73,280 pounds.) The maximum gross weight shall then not exceed the maximum permitted gross weight for state designated routes as provided for in O.C.G.A. § 32-6-26.

(Code 1978, § 8-2002; Ord. of 11-13-07, § II; Ord. No. TAV-2010-001, 12-14-10)

**Sec. 110-34. - Tire and weight restrictions.**

No axle load on any vehicle operated upon any public road maintained by Gwinnett County, shall exceed 20,340 pounds unless said vehicle is making a pickup or delivery on a county road with ingress or egress to a state designated route. In such event, the maximum axle load shall be as provided for in O.C.G.A. § 32-6-26. An axle load shall be defined as the total load on all wheels whose centers may be included between two (2) parallel transverse vertical planes forty (40) inches apart. If the driver of any vehicle can comply with the requirements of this Section by shifting or equalizing the load on all wheels

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or axles and does so when requested by the proper authority, said driver shall not be held to be operating in violation of this Section.

(Code 1978, § 8-2003; Ord. of 11-13-07, § III; Ord. No. TAV-2010-001, 12-14-10)

**Sec. 110-35. - Inspection authorized.**

Any person driving or in charge or control of any of the restricted vehicles defined in the preceding section when upon streets other than those designated as truck routes, shall be prepared to present for the inspection of police officers his log book, weight slips, delivery slips or other written evidence of his destination and point of origin to justify the presence of the restricted vehicle on a street other than a designated truck route.

(Code 1978, § 8-2004; Ord. of 11-13-07, § IV)

**Sec. 110-36. - Truck routes.**

**DESIGNATED TRUCK ROUTES**

Route	From	To
Arnwiler Road	U.S. 23	Dekalb County Line
Annistown Road	North Deshong Road	S.R. 124
Best Friend Road	Dekalb County Line	Jimmy Carter Boulevard
Boggs Road	Old Norcross Road	S.R. 120
Bold Springs Road	Harbins Road	Walton County Line
Breckinridge Boulevard	Pleasant Hill Road	Boggs Road
Buford Dam Road	Water Works Road	Forsyth County Line
Button Gwinnett Drive	Dekalb County Line	U.S. 23
Centerville Rosebud Road	S. R. 124	Rosebud Road
Club Drive	Shackelford Road	Pleasant Hill Road
Cooper Road	U.S. 78	S.R. 20
Crescent Drive	Button Gwinnett Drive	Jimmy Carter Boulevard
Cruse Road	Pleasant Hill Road	Sugarloaf Parkway
Dawson Boulevard	Dekalb County Line	Jimmy Carter Boulevard
East Park Place	Rockbridge Road	West Park Place
Five Forks Trickum/St. Mtn. St.	Dekalb County Line	Nash Street
Hamilton Mill Road	S.R. 13	S.R. 124
Harbins Road	S.R. 316	Barrow County Line
Horizon Drive	Lawrenceville Suwanee Road	Old Peachtree Road
Hosea Road	U.S. 29	S.R. 316
Huff Road	Oak Road	U.S. 29
Hurricane Shoals Rd/Hi Hope Rd	Old Norcross Road	S.R. 316
I-85	Dekalb County Line	Barrow County Line
I-985	I-85	Hall County Line
Indian Trail Road	S.R. 378	U.S. 29
Jimmy Carter Boulevard	I-85	Dekalb County Line
Jones Mill Road (new	Peachtree Industrial Boulevard	U.S. 23

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alignment)		
Killian Hill Road	U.S. 29	U.S. 78
Lakes Parkway	Sugarloaf Parkway	Riverside Parkway
Langford Road	U.S. 23	Medlock Bridge Road
Lawrenceville-Suwanee Road	Sugarloaf Parkway	Old Peachtree Road/Horizon Dr.
Lenora Church Road	Rockdale County Line	S.R. 124
Lilburn St Mtn Rd/Arcado Road	U.S. 29	Rockbridge Road
Live Oak Parkway	Jimmy Carter Boulevard	Oakbrook Parkway
McGinnis Ferry Road	Fulton County Road	Satellite Boulevard
Medlock Bridge Road	S.R. 141	Langford Road
North Berkeley Lake Road	U.S. 23	Peachtree Industrial Boulevard
North Deshong Road	Dekalb County Line	Rockbridge Road
N. Norcross Tucker Rd/S. P'tree	Brook Hollow Parkway	Holcomb Bridge Road
Oak Road	Huff Road	U.S. 78
Oakbrook Parkway	Jimmy Carter Boulevard	Indian Trail Road
Old Norcross Road East	Satellite Boulevard	S.R. 120
Old Norcross Road West	Steve Reynolds Boulevard	Satellite Boulevard
Old Peachtree Road	U.S. 23	Lawrenceville-Suwanee Road
Ozora Road	S.R. 20	Walton County Line
Peachtree Comers Circle	S.R. 140	S.R. 141
Peachtree Industrial Boulevard	S.R. 141	Hall County Line
Pleasant Hill Road	Fulton County Line	U.S. 29
Pleasantdale Road	Dekalb County Line	U.S. 23
Riverside Parkway	Old Norcross Road	Lawrenceville-Suwanee Road
Rockbridge Road	East Park Place	North Deshong Road
Rockbridge Road	Jimmy Carter Boulevard	West/East Park Place
Rosebud Road	S.R. 20	Walton County Line
S.R. 120	Fulton County Line	S.R. 20
S.R. 124	Dekalb County Line	Barrow County Line
S.R. 140	I-85	Fulton County Line
S.R. 141	Dekalb County Line	Fulton County Line
S.R. 141(Connector)	Peachtree Industrial Boulevard	S.R. 141
S.R. 141/Access Road	Dekalb County Line	Jimmy Carter Boulevard
S.R. 20	Walton County Line	Forsyth County Line
S.R. 211	Barrow County Line	Hall County Line
S.R. 264	U.S. 78	S.R. 124
S.R. 316	I-85	Barrow County Line
S.R. 317	U.S. 23	Old Peachtree Road/Horizon Dr.
S.R. 324	S.R. 20	Barrow County Line
S.R. 378	U.S. 23	U.S. 29
S.R. 84	U.S. 78	S.R. 20
Satellite Boulevard	Beaver Ruin Road/SR 378	S.R. 20
Shackelford Road	Beaver Ruin Road/SR 378	Pleasant Hill Road
Singleton Road	Jimmy Carter Boulevard	Indian Trail Road

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South Berkeley Road	Peachtree Industrial Boulevard	U.S. 23
South Norcross Tucker Road	Dekalb County Line	Jimmy Carter Boulevard
South Old Peachtree Road	Medlock Bridge Road	U.S. 23
South Scales Road	Old Peachtree Road	U.S. 23
Spalding Drive	S.R. 140	Medlock Bridge Road
Steve Reynolds Boulevard	Indian Trail Road	Pleasant Hill Road
Sugarloaf Parkway	S.R. 20	Peachtree Industrial Boulevard
Suwanee Dam Road	U.S. 23	Peachtree Industrial Boulevard
Thompson Mill Road	S.R. 13	Hall County Line
Thompson Parkway	Liveoak Parkway	Singleton Road
U.S. 23/S.R. 13	Dekalb County Line	Hall County Line
U.S. 78	Dekalb County Line	Walton County Line
U.S. 29/S.R. 8	Dekalb County Line	Barrow County Line
West Park Place	East Park Place	Rockbridge Road

(Code 1978, § 8-2006; Ord. of 11-13-07, § I)

**Sec. 110-37. - Temporary truck routes.**

If any designated truck route, or portion thereof, shall be under repair or otherwise temporarily out of use, restricted vehicles as defined in sections 110-32, 110-33, 110-34 or 110-35 shall use other temporary truck routes as may be designated by the county.

(Code 1978, § 8-2005; Ord. of 11-13-07, § V)

**Sec. 110-38. - Special exclusion.**

When special conditions exist that would make the operation of trucks greater than 10,000 pounds maximum gross weight especially hazardous or result in street or bridge damage and an alternative route exists, the director of the department of transportation shall designate and post appropriate truck prohibition signs. Any driver of a truck described above found to be operating his vehicle within a street segment posted to prohibit these vehicles shall be deemed in violation of this section.

(Code 1978, § 8-2007)

**Sec. 110-39. - Severability.**

If any section, subsection, sentence, clause, phrase or any portion of this article is declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this article as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be declared construed to affect the portions of this article not so held to be invalid, or the application of this article to other circumstances not so held to be invalid. It is hereby declared to be the intent of the board of commissioners to provide for separable and divisible parts and do hereby adopt any and all parts hereof as may not be held invalid for any reason.

(Ord. of 11-13-07, § VI)

**Sec. 110-40. - Effect of repeal of ordinances.**

All ordinances, or parts of ordinances, in conflict with the terms of this article, be and the same are

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hereby repealed; but it is hereby provided, that any ordinance, resolution, law or charter provision, which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provision hereof, which shall be liberally construed to be in favor of Gwinnett County, are hereby adopted as a part hereof.

(Ord. of 11-13-07, § VII) <p class="sec"><a class="showURLs" href="javascript:void(0)" >Secs. 110-41—110-60. - Reserved.

### **ARTICLE III. - STOPPING, STANDING AND PARKING**

- [Sec. 110-61. - Times when lamps on parked vehicles required to be lit.](#)
- [Sec. 110-62. - Parking prohibited in certain places.](#)
- [Sec. 110-63. - Parking not to obstruct traffic.](#)
- [Sec. 110-64. - Parking for certain purposes prohibited.](#)
- [Sec. 110-65. - Parking adjacent to schools restricted.](#)
- [Sec. 110-66. - Parking prohibited on narrow streets.](#)
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- [Sec. 110-69. - Director of the department of transportation to designate curb loading zones.](#)
- [Sec. 110-70. - Parking in freight curb loading zones.](#)
- [Sec. 110-71. - Parking of taxicabs and buses regulated.](#)
- [Sec. 110-72. - Use of bus and taxicab stands restricted.](#)
- [Sec. 110-73. - Length of bus stops limited; bus stops to be marked.](#)
- [Sec. 110-74. - Authority of the director of the department of transportation to prohibit parking on certain streets.](#)
- [Sec. 110-75. - Parking prohibited during certain hours.](#)
- [Sec. 110-76. - Parking signs required.](#)
- [Sec. 110-77. - Emergency parking restrictions.](#)
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- [Sec. 110-79. - Parking in business districts, residential districts and other areas restricted.](#)
- [Sec. 110-80. - Fire zones.](#)
- [Secs. 110-81—110-100. - Reserved.](#)

#### **Sec. 110-61. - Times when lamps on parked vehicles required to be lit.**

(a) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half-hour after sunset and a half-hour before sunrise, and if there is sufficient light to reveal any person or object within a distance of 500 feet upon this street or highway, no lights need be displayed upon this parked vehicle.

(b) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half-hour after sunset and a half-hour before sunrise, and there is not sufficient light to reveal any person or object within a distance of 500 feet upon this highway, these vehicles so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of vehicle. The location of the lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing

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provisions shall not apply to a motor-driven cycle.

(c) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

(Code 1978, § 8-4001)

**State law reference—** Lights on parked vehicles, O.C.G.A. § 40-8-78.

**Sec. 110-62. - Parking prohibited in certain places.**

(a) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of police officer or traffic control device at any place prohibited by ordinance and indicated by official signs or markings.

(b) No person shall move a vehicle not lawfully under his control either into any prohibited area or move and leave this vehicle away from a curb such distance as is prohibited by this section or other ordinance.

(c) No person shall stop, stand or park a vehicle at any location specifically designated by the board of commissioners as indicated by official signs or markings.

(Code 1978, § 8-4003)

**State law reference—** Stopping, standing or parking prohibited in specified places, O.C.G.A. § 40-6-203.

**Sec. 110-63. - Parking not to obstruct traffic.**

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

(Code 1978, § 8-4004)

**State law reference—** How vehicles to be parked, O.C.G.A. § 40-6-200.

**Sec. 110-64. - Parking for certain purposes prohibited.**

No person shall park a vehicle upon any highway for:

- (1) Displaying the vehicle for sale;
- (2) Washing, greasing or repairing the vehicle except repairs necessitated by sudden emergency; in this emergency the vehicle shall be moved or towed away with all due haste; or
- (3) For displaying advertising.

(Code 1978, § 8-4005; Ord. of 10-7-97)

**Sec. 110-65. - Parking adjacent to schools restricted.**

(a) The director of the department of transportation is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when this parking would, in his opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon that side of a street adjacent to any

school property, no person shall park a vehicle in this designated place.

(Code 1978, § 8-4006)

**Sec. 110-66. - Parking prohibited on narrow streets.**

(a) The director of the department of transportation is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by these signs when the width of the roadway does not exceed 30 feet.

(b) When official signs prohibiting parking are erected upon narrow streets, as authorized in this section, no person shall park a vehicle upon the street in violation of the sign.

(Code 1978, § 8-4007)

**Sec. 110-67. - Parking on one-way roadways.**

If a highway includes two or more separate roadways and traffic is restricted to one direction upon this roadway, no person shall stand or park a vehicle upon the lefthand side of this one-way roadway, unless signs are erected to permit this standing or parking. The director of the department of transportation is authorized to determine when standing or parking may be permitted upon the lefthand side on the one-way roadway and to erect signs giving notice thereof.

(Code 1978, § 8-4008)

**Sec. 110-68. - Parking near hazardous or congested places restricted.**

(a) The director of the department of transportation is hereby authorized to determine and designate, by proper signs, places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places, as authorized in this section, no person shall stop, stand or park a vehicle in this designated place.

(Code 1978, § 8-4009)

**Sec. 110-69. - Director of the department of transportation to designate curb loading zones.**

The director of the department of transportation is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating them and stating the hours during which the provisions of this section are applicable.

(Code 1978, § 8-4010)

**Sec. 110-70. - Parking in freight curb loading zones.**

(a) No person shall stop, stand or park a truck for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to these zones are in effect, nor stop, stand or park any other vehicle for this unloading or loading of materials.

(b) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of, and while actually engaged in, loading and unloading passengers, when this

stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter this zone.

(Code 1978, § 8-4011)

**Sec. 110-71. - Parking of taxicabs and buses regulated.**

The driver of a bus or taxicab shall not park upon any street in any business district at any place other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the driver of this vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of, and while actually engaged in, loading and unloading passengers, and except for making emergency repairs. The provisions of this section shall not apply to common carriers stopping at regular designated passing or layover locations.

(Code 1978, § 8-4012)

**Sec. 110-72. - Use of bus and taxicab stands restricted.**

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when this stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, loading or unloading passengers when this stopping does not interfere with any bus or taxicab waiting to enter or about to enter this zone.

(Code 1978, § 8-4013)

**Sec. 110-73. - Length of bus stops limited; bus stops to be marked.**

(a) A nonparking zone of 80 feet shall be created at all bus stops for the purpose of loading and unloading passengers.

(b) These nonparking zones shall be marked by signs and, in addition, these zones in all congested areas shall have the curbs painted yellow. This proper marking of zones shall be maintained by the companies operating buses in and out of these zones.

(c) Buses or any vehicles parked in these zones for the purpose of loading and unloading passengers shall pull as close to the curb as possible.

(d) This section does not prohibit buses from loading and unloading at platforms at loading zones where they are provided for that purpose in the street.

(Code 1978, § 8-4014)

**Sec. 110-74. - Authority of the director of the department of transportation to prohibit parking on certain streets.**

When not inconsistent with this part or any other ordinance, the director of the department of transportation is authorized to prohibit parking or stopping of vehicles on any street or portion of a street when traffic and engineering surveys indicate that this stopping or parking may impede the free flow of traffic on this street.

(Code 1978, § 8-4015)

**Sec. 110-75. - Parking prohibited during certain hours.**

When prohibited by this section or any other ordinance or by order of the director of the department of transportation, no person shall park a vehicle during the hours prohibited at places so indicated by official signs.

(Code 1978, § 8-4016)

**Sec. 110-76. - Parking signs required.**

When, by this section or any other ordinance or order of the director of the department of transportation, any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the director of the department of transportation to erect appropriate signs giving notice thereof, and no regulations shall be effective unless these signs are erected and in place at the time of any alleged offense. At least one sign shall be erected in each block on each side of the street where parking is either prohibited or restricted.

(Code 1978, § 8-4017)

**Sec. 110-77. - Emergency parking restrictions.**

When not inconsistent with this article or any other ordinance, the chief of police has authority in an emergency to prohibit the parking or stopping of vehicles on any street or portion of a street or to close a street to traffic. All these orders shall be temporary only.

(Code 1978, § 8-4018)

**Sec. 110-78. - Use of parking facilities on county property.**

Parking facilities on county property designated for this use by the chairman shall be used only in accordance with regulations for this use established by the chairman. The chairman may designate certain spaces or areas as reserved for all elected officials, designate administrative officials whose position responsibilities require the provision of a reserved parking space for efficiently discharging those responsibilities and for other general purposes such as court and visitor parking. Occupancy of these reserved spaces or areas by other than those individuals assigned to use the space or areas shall be deemed a violation of this section. The director of the department of transportation shall be responsible for posting of signs to ensure effective notice to parking facility users as to the regulations governing and limitations on the use thereof. In addition, it shall be unlawful to park any private vehicle in any county parking facility for a period of more than 12 hours in any one day or to park a commercial or freight-carrying vehicle or trailer in these lots except by written permission of the chairman.

(Code 1978, § 8-4019)

**Sec. 110-79. - Parking in business districts, residential districts and other areas restricted.**

(a) No person shall park or stand any bus, truck or other freight- or passenger-carrying vehicle in excess of one-half ton capacity upon any public street or highway for a period longer than one hour at any time during the day or night.

(b) No person shall stop or stand any truck or bus with a body more than eight feet or 2.4384m wide or ten feet or 3.048m high on any street or public place without the driver or chauffeur being actually present and in charge thereof.

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(c) No person shall park or stand any truck camper, camper trailer, motor home, boat, boat trailer or other recreational vehicle on any residential street or public place for more than one hour at any time during the day or night.

(d) Any vehicle in violation of this article and which remains in violation for the period of 24 hours or more shall be presumed to be abandoned and may be impounded by the police department.

(Code 1978, § 8-4020)

**Sec. 110-80. - Fire zones.**

The fire chief shall have the authority to designate any area on public property or private property used for public purposes as restricted areas to be known as fire zones. Standing or parking a vehicle in a fire zone shall be a violation of this section. The fire chief, or his delegate, shall have the authority to enforce this section by the issuance of a citation and the immediate removal of the vehicle to an impound lot.

(Code 1978, § 8-4021) <span class="sec"><a id="PTIICOOR\_CH110TRVE\_ARTIIISTSTPA\_SS110-81--110-100RE"><p class="showURLs" href="javascript:void(0)" >Secs. 110-81—110-100. - Reserved.

**ARTICLE IV. - AUTOMATED TRAFFIC ENFORCEMENT [104]**

<sup>(104)</sup> **Editor's note**— Section 1 of an ordinance adopted Dec. 14, 2004, set out provisions intended for use as Art. IV, §§ 110-81—110-87. To allow for reserved sections, and at the editor's discretion, these provisions have been included as §§ 110-101—110-107.

[Sec. 110-101. - Definitions.](#)

[Sec. 110-102. - Authorization of traffic-control signal monitoring devices.](#)

[Sec. 110-103. - Identification of intersections for use of traffic-control signal monitoring devices.](#)

[Sec. 110-104. - Enforcement.](#)

[Sec. 110-105. - Civil penalty.](#)

[Sec. 110-106. - Contesting the civil penalty.](#)

[Sec. 110-107. - Warning period.](#)

**Sec. 110-101. - 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:]

*Owner* means the registrant of a motor vehicle, except that such term shall not include a motor vehicle rental company when a motor vehicle registered by such company is being operated by another person under a rental agreement with such company.

*Recorded images* means images recorded by a traffic-control signal monitoring device:

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- (1) On:
- a. Two or more photographs;
  - b. Two or more microphotographs;
  - c. Two or more electronic images; or
  - d. Videotape; and

(2) Showing a traffic-control signal displaying a circular red or red arrow signal along with the rear of a motor vehicle apparently operated in disregard or disobedience of such signal and, on at least one image or portion of tape, clearly revealing the number or other identifying designation of the license plate displayed on the motor vehicle.

*Traffic-control signal monitoring device* means a device with one or more motor vehicle sensors working in conjunction with a traffic-control signal to produce recorded images of motor vehicles being operated in disregard or disobedience of a circular red or red arrow signal.

(Ord. of 12-14-04, § 1)

**Cross reference—** Definitions generally, § 1-2.

**Sec. 110-102. - Authorization of traffic-control signal monitoring devices.**

Subject to the provisions of O.C.G.A. § 40-14-21, the chief of police and board of commissioners authorize the use of traffic-control signal monitoring devices for purposes of automated traffic enforcement. Use of said devices shall be governed by the provisions of O.C.G.A. §§ 40-6-20, 40-14-21, 40-14-22, 4-14-23, and 4-14-24, and any other applicable provisions of law.

(Ord. of 12-14-04, § 1)

**Sec. 110-103. - Identification of intersections for use of traffic-control signal monitoring devices.**

The Gwinnett County Department of Transportation shall be responsible for the identification and selection of intersections where traffic-control signal monitoring devices will be utilized and for compliance with O.C.G.A. §§ 40-14-22 and 40-14-23.

(Ord. of 12-14-04, § 1)

**Sec. 110-104. - Enforcement.**

The Gwinnett County Police Department shall be responsible for the administration and enforcement of this article as required by O.C.G.A. § 40-6-20.

(Ord. of 12-14-04, § 1)

**Sec. 110-105. - Civil penalty.**

The driver of a motor vehicle cited pursuant to this article shall be liable for a civil monetary penalty not to exceed \$70.00. Citations shall be issued by the Gwinnett County Police Department in accordance with O.C.G.A. § 40-6-20(f)(3)(B).

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(Ord. of 12-14-04, § 1)

**Sec. 110-106. - Contesting the civil penalty.**

(a) In accordance with O.C.G.A. §40-6-20(D), liability shall be determined based upon preponderance of the evidence. Prima-facie evidence that the vehicle described in the citation issued pursuant to this article was operated in violation of O.C.G.A. § 40-6-20(a), together with proof that the defendant was at the time of such violation the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:

- (1) Testifies under oath in open court that he or she was not the operator of the vehicle at the time of the alleged violation;
- (2) Presents to the court prior to the return date established on the citation a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation; or
- (3) Submits to the court prior to the return date established on the citation a sworn notarized statement identifying the name of the operator of the vehicle at the time of the alleged violation.

(b) The provisions of this article shall not limit law enforcement agencies to the use of traffic-control signal monitoring devices in enforcing O.C.G.A. § 40-6-20(a); and, when there is evidence obtained from another source or sources which constitutes a prima-facie case of a violation of O.C.G.A. § 40-6-20(a), such violation may be prosecuted as otherwise provided by law in lieu of, but not in addition to, enforcement under this article.

(Ord. of 12-14-04, § 1)

**Sec. 110-107. - Warning period.**

In accordance with O.C.G.A. § 40-6-20(B), only warning notices and not citations for violations shall be sent during the 30-day period following the installation of any traffic-control signal monitoring device.

(Ord. of 12-14-04, § 1)