

**AN ORDINANCE ADDING
SECTION 11-103: STOPPING, STANDING AND PARKING
OF THE CODE OF ORDINANCES OF THE
CITY OF MANSFIELD, GEORGIA**

Whereas, the City of Mansfield has the responsibility to regulate and prohibit any act, practice, or conduct which is detrimental or likely to be detrimental, to the health, sanitation, cleanliness, welfare and safety of the inhabitants of the City and to provide for the enforcement of such standards; and,

Whereas, the City of Mansfield has the power to make, ordain, and establish such ordinances, rules and regulations as shall appear necessary for the security, welfare, convenience and interest of the City and its inhabitants and for preserving the health, peace, order and good government of the City; and,

Whereas, pursuant to its police powers, the City of Mansfield is authorized to enact legislation to regulate certain conduct which could affect the public health, safety and welfare; and,

Therefore, we, the members of the City Council for the City of Mansfield, Georgia, **HEREBY ORDAIN AS FOLLOWS:**

Section 1: Section 11-103 of the Code of Ordinances of the City of Mansfield, Georgia is added and shall read as follows:

Section 11-103: Stopping, Standing, and Parking

(a) 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:

Driver means every person who drives or is in actual physical control of a vehicle.

Governing authority means the mayor and city council of Mansfield, Georgia, and where delegated by the mayor and council, the city public works department and/or any other city personnel.

Motor vehicle means every vehicle that is self-propelled.

Operator means any person who drives or is in actual physical control of a motor vehicle.

Owner means a person, other than a lienholder or security interest holder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in or lien by another person but excludes a lessee under a lease not intended as security except as otherwise specifically provided in this article.

Police officer means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Public or private property means the right-of-way of any road or highway; any body of water or watercourse or the shores thereof; any park, playground, building, refuge or conservation or recreation area, and residential or farm properties, timberland or forest.

Roadway means that portion of a street, road, or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" shall refer to any such roadway separately, but not to all such roadways collectively.

(b) Parking prohibited in certain places.

(1) 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 a police officer or traffic control device, at any place prohibited by ordinance and indicated by official signs or markings.

(a) The west side of Highway 11 for the 100 feet immediately south of its intersection with Highway 213 also known as W. 2nd Avenue.

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

(3) At the locations designated by the public works department or, if no such designation has been made by the public works department, by county ordinances, as indicated by official signs or markings, parking is prohibited as indicated.

(c) Parking not to obstruct traffic.

No person shall park any vehicle in such 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.

(d) Hazardous or congested places.

(1) The public works department may 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.

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

(3) The duration of any such designation, unless approved by the governing authority, shall not exceed 10 days.

(e) Penalties; enforcement generally.

(1) Any person who violates this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not more than \$1,000.00 or no more than 60 days in jail or both for each occurrence, and each occurrence shall be deemed a separate offense.

(2) Unless otherwise specifically provided by resolution of the mayor and city council, the enforcement of this article shall be within the jurisdiction of the Mansfield police department, the Newton County Sherriff's Department, and any state officer authorized by the state of Georgia to make misdemeanor criminal arrests. Persons designated by the governing authority are hereby authorized to issue citations or summons or both, charging violations under this article, returnable to a court or courts having jurisdiction over state traffic offenses or other courts located in Newton County, Georgia having jurisdiction over violations of city ordinances.


(3) For purposes of enforcing the provisions of this article, any court having jurisdiction over state traffic offenses or other courts having jurisdiction over violations of city ordinances shall be entitled to take such action to ensure compliance, and the person convicted shall reimburse the city for any cost or expense associated with such compliance efforts, and the city shall be entitled to place a lien on the property or require a bond from the person to secure payment and reimbursement for these expenses.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.

Section 3: Such amendment shall be effective as of the day adopted by the City Council for the City of Mansfield, Georgia,

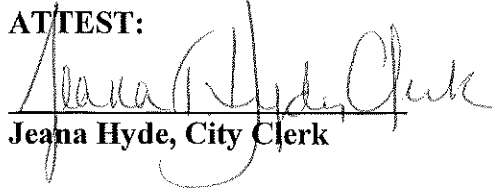
This Ordinance is adopted this 9 day of NOVEMBER, 2020.

CITY OF MANSFIELD, GEORGIA



G.W. Davis, Jr., Mayor

ATTEST:



Jeana Hyde, City Clerk