

AN ORDINANCE 13-119
ENTITLED

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF ALBANY SO AS TO PROVIDE
REGULATIONS FOR PARKING AND STORAGE OF
COMMERCIAL VEHICLES IN RESIDENTIAL
DISTRICTS; REPEALING PRIOR ORDINANCES IN
CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, it is in the best interest of the City of Albany that the parking of commercial vehicles in residential zoning districts be marked be limited; and

WHEREAS, this ordinance will amend Title III, Article 1, Section 1.17 of the City's Zoning Ordinance so as to establish clear regulations on the parking and operation of commercial vehicles within the City of Albany,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. From and after adoption of this Ordinance, Title III, Article 1, Section 1.17(C) of the City's Zoning Ordinance shall be deleted in its entirety.

SECTION 2. From and after adoption of this Ordinance, Title III, Article 1, Section 1.17(C) of the City's Zoning Ordinance shall be read as follows:

Storage and parking of commercial vehicles

Prohibiting heavy trucks, but allowing some commercial vehicles

Purpose: The intent of this section is to regulate the use of commercial vehicles within residential zoning districts. Residential areas typically have roadways designed for the local access of passenger type vehicles. Due to size and or weight, commercial vehicles often cannot easily maneuver or park on residential streets without causing damage to the road surface and

hampering sight distance. Commercial vehicles, as a result of their size or appearance, including attached advertising, tools or equipment, are not in character with residential districts.

Commercial vehicles and trailers of all types shall not be parked or stored on any lot in any residential district except in accordance with the following requirements:

(1) No more than one (1) commercial vehicle of less than 14,000 pounds (Light duty, classes 1 and 2 and 3) shall be permitted per dwelling, and in no case shall a commercial vehicle used for hauling explosives, gasoline, or liquefied petroleum products be permitted. This allowance includes one (1) small commercial trailer and one (1) commercially utilized vehicle of less than 10,000 lbs.;

(2) No commercial vehicles greater than 14,001 pounds gross vehicle weight (medium and heavy duty) shall be permitted except under the following conditions:

Such commercial vehicle is temporarily parked or standing for a period of less than four (4) hours while engaged in providing services for the resident or property owner; or

(3) Trailers of any size may not be parked on residential property or streets at any time, unless they are engaged in providing services for the resident or property owner, and parked for less than four (4) hours.

(4) One school bus (defined as a motor vehicle operated for the transportation of school children to and from school or school activities) is allowed as long as it is not parked on the street or right-of-way, or on an unpaved area in front of the residence, and so long as there is compliance with City Code Section 56-174.

(5) The parking of construction vehicles or equipment on residential property shall be prohibited with the exception that construction equipment being parked or stored on residential property during the development of such property shall be permitted and must be removed within

ten (10) days of the issuance of a certificate of occupancy or upon the expiration of the building permit for the site, whichever occurs first.

(6) Emergency vehicles and utility trucks are exempt from the provisions of this ordinance.

Definitions

Commercial motor vehicle: any self-propelled or towed motor vehicle used for commercial activities or the transport of passengers or property which:

- (A) Has a gross vehicle weight rating, gross combination weight rating (a power unit towing another vehicle or trailer), gross vehicle weight, or gross combination weight of 4,537kg (10,001lbs.) or more; or
- (B) Any vehicle with a gross vehicle weight rating of 10,000 lbs. or less which is used for commercial purposes, and with exterior signage or equipment attached to the vehicle. Examples include, but are not limited to, taxis, limousines, courtesy vehicles, panel vans and pick-up trucks; or
- (C) Is designed or used to transport more than eight passengers, including the driver, for compensation; or designed or used to transport more than 15 passengers, including the driver, regardless of compensation; or
- (D) Any size vehicle which is used to transport material determined to be hazardous in a quantity that requires the vehicle to be placarded.

Gross vehicle weight rating or "GVWR": the value specified by the manufacturer as the loaded weight of a single vehicle.

Gross combination weight rating or "GCWR": the value specified by the manufacturer as the loaded weight of a combination vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on that unit.

Gross weight: the weight of a vehicle without a load plus the weight of any load thereon.

Light Duty Truck

Class 1: Gross vehicle weight rating (GVWR) ranges from 0 to 6,000 pounds

Class 2: GVWR ranges from 6,001 to 10,000 pounds. Class 2 is subdivided into Class 2a and Class 2b, with class 2a being 6,001 to 8,500 pounds, and class 2b being 8,501 to 10,000 pounds. Class 2a is commonly referred to as a light duty truck, with class 2b being the lowest heavy-duty class, also called the light heavy-duty class.

Class 3: GVWR ranges from 10,001 to 14,000 pounds.

Medium Duty Truck

Class 4: GVWR ranges from 14,001 to 16,000 pounds.

Class 5: GVWR ranges from 16,001 to 19,500 pounds.

Class 6: GVWR ranges from 19,501 to 26,000 pounds.

Heavy Duty Truck

Vehicles in Class 7 and above require a Class A license to operate.

Class 7: GVWR ranges from 26,001 to 33,000 pounds.

Class 8: The Class 8 truck (GVWR) is anything above 33,000 pounds. Includes all tractor trailer trucks.

SECTION 3. This Ordinance shall become effective immediately upon adoption.

SECTION 4. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.

Terethy Hubbard
MAYOR

ATTEST:

Suzie Orloff
CITY CLERK

Adopted: *June 25, 2013*

Introduced By Commissioner: *Jimmie Postell*
Date(s) read: *June 25, 2013*