

**Board of Commissioners
Agenda Item Transmittal Form
Ordinance Transmittal Form**



Type of Request: Initiation of Text Amendment 2024-02 – 2 nd Reading of Ordinance		County Clerk Use Only Ordinance #: 2024-
<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information	
Contact Name: Denise Tugman/Christopher Wheeler Department: Planning & Development	Summary of Request: Initiation of UDO Text Amendment 2024-02 by County Staff to amend Sec. 222-11 (Parking Vehicles in Residential Districts) to allow a Commercial vehicle to be parked in a residential district, provided that such vehicle is owned by the Rockdale County Board of Education, or any private school licensed by the State of Georgia.	
<input checked="" type="checkbox"/> Department Director/Elected Official Signature	<input type="checkbox"/> Chief Operating Officer Signature	
I have reviewed the attached, and it is approved as to substance. Signature: <i>Denise Tugman</i> Date: 11/18/24	I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
<input type="checkbox"/> County Attorney Signature	<input type="checkbox"/> Executive Director of Government Affairs/County Clerk Signature	
I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
Notes and Comments: December 10, 2024: Second Reading Work Session. December 10, 2024: Second Reading Voting Session.		

2024-637

AN ORDINANCE TO AMEND SUBPART B, PLANNING AND DEVELOPMENT, TITLE 2, LAND USE AND ZONING, CHAPTER 222 OFF-STREET PARKING STANDARDS, OF THE CODE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, SO AS TO REPEAL AND REPLACE SECTION 222-11 PARKING VEHICLES IN RESIDENTIAL DISTRICTS: TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County comprehensively regulates land uses pursuant to its general police powers, planning powers, zoning powers and other authority derived from applicable local laws, the Constitution of the State of Georgia, state and federal statutory authority and other sources; and

WHEREAS, Commercial vehicles, provided that such vehicle is owned by the Rockdale County Board of Education, or any private school licensed by the State of Georgia.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, and it is hereby ordained by the authority of same as follows:

Section I

That Section 106-1 of Title 2 (Land Use and Zoning) of Subpart B (Planning and Development) of the Code of Ordinances of Rockdale County entitled "Off-Street Parking Standards" is hereby repealed in its entirety and replaced as follows:

Sec. 222-11. - Parking vehicles in residential districts.

- (a) In any residential zoning district except as otherwise provided in this Ordinance, it shall be unlawful for any person to park or stand any commercial vehicle as defined in section 106-1 unless such vehicle is engaged in loading or unloading. Trailers, mobile homes, motorized homes, boats, boat trailers and utility trailers are exempt from this paragraph. For purposes of this section, trailers are defined as vehicles with or without motive power, designed for carrying persons or property and for being drawn by motor vehicles and so constructed that no part of its weight rests upon the towing vehicle.
- (b) In any residential district, the parking of any vehicle shall be within a garage, driveway, or carport or within a side or rear yard, except for moving vans that are loading and unloading. The parking of any commercial vehicle as defined in section 106-1, shall be prohibited unless otherwise authorized by this Ordinance.
- (c) Disposition of commercial vehicles in residential districts. The county is authorized to remove and dispose of any commercial vehicle in a residential district, notwithstanding the fact that such vehicle may be located on private property. No such vehicle shall be disposed of in less than 30 days from the time the commercial vehicle is removed. Prior to the disposal of such vehicle and if such vehicle is affixed with a current license tag, the current owners and lienholders of the motor vehicles shall be identified by a records search in the state department of revenue; and upon the identification of the owners and lienholders, they

shall be notified of the pending disposal by registered or certified mail, return receipt requested.

(d) Enforcement.

- (1) Enforcement of this article shall be the responsibility of the code enforcement officers of the department of planning and development or any Rockdale County Sheriff's deputy.
- (2) When a motor vehicle is deemed to be a commercial vehicle in violation of this Code by an authorized enforcement officer, such officer may issue a written warning notice to the parties owning or in apparent possession of the commercial vehicle, or the owner of the property upon which the motor vehicle is located, to remove the vehicle within five days. If the owner or person in apparent possession of the vehicle is not ascertainable, written notice may be given by attaching such notice to the vehicle. Written notice to the property owner shall be by certified mail to the address listed in Rockdale County property tax records. If the commercial vehicle is not removed within five days, the owner of the motor vehicle or the owner of the land on which it is located shall be issued a citation. If a commercial vehicle is found in violation on the property of an owner who has been cited within the past 12 months for the same offense, then the authorized enforcement officer may immediately issue a citation to the parties owning or in apparent possession of the motor vehicle, or the owner of the property upon which the motor vehicle is located.
- (3) Each and every day that any such violation exists shall be deemed a separate offense.
- (4) The county may tow the vehicles, at the owner's expense, if not removed within five days of the notice.

Section II

That all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed.

Section III

That this Ordinance shall become effective upon adoption.

This _____ day of _____, 2024.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Oz Nesbitt, Sr., Chairman

Sherri L. Washington, Commissioner Post I

Dr. Doreen Williams, Commissioner Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:

By: _____
M. Qader A. Baig, County Attorney

First Reading: _____

Second Reading: _____