

**A RESOLUTION AND ORDINANCE BY THE BOARD OF COMMISSIONERS
OF FORSYTH COUNTY, GEORGIA, AMENDING FORSYTH COUNTY
ORDINANCE 89, REGULATING THROUGH TRUCK TRAFFIC**

WHEREAS, the Forsyth County Board of Commissioners deems it to be in the public interest to regulate through traffic by trucks and certain other motor vehicles on public roads, streets, highways, rights of way and thoroughfares within the unincorporated area of Forsyth County;

WHEREAS, the Forsyth County Board of Commissioners has manifested its interest in such regulation via the adoption of Ordinance 89, Regulating Through Truck Traffic; and,

WHEREAS, the Forsyth County Board of Commissions nonetheless deems it in the best interests of the health, safety and welfare of the citizens of Forsyth County to modify Ordinance 89 to provide law enforcement and code enforcement personnel greater opportunities to enforce Ordinance 89, and therefore better protect the citizens of the County.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Ordinance 89 is hereby modified by adding the following underlined verbiage to the first sentence of Section 1:

All motor vehicles having a gross weight in excess of thirty-six thousand (36,000) pounds, including the load thereon, or having an overall length in excess of thirty (30) feet, except vehicles designed to carry passengers, or vehicles having more than six wheels; are prohibited from using any public roads within the unincorporated County except those authorized and designated as truck routes by this ordinance;

Ordinance 89 is further modified by adding the following sentence to Section IV:

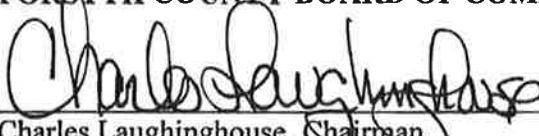
The Sheriff or the Sheriff's designee, or any authorized County official, including members of the Forsyth County Code Enforcement Department, may require any person driving or in control of any motor vehicle that reasonably may be subject to the regulations and restrictions of this Ordinance wherein the motor vehicle is not prohibited by other criteria in the code (i.e. in excess of six wheels) and that is not proceeding over a truck route or street over which truck traffic is permitted, to proceed to any public or private scale available for the purpose of weighing said vehicle.

Effective Date and Repealer Provision

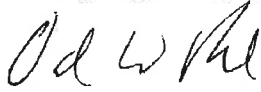
This Ordinance shall become effective immediately upon adoption by the Forsyth County Board of Commissioners. Any and all existing or pre-existing provisions in conflict with this amendment are hereby repealed.

Adopted this 5th day of June 2008.

FORSYTH COUNTY BOARD OF COMMISSIONERS



Charles Laughinghouse, Chairman



David W. Richard, Vice Chairman



Jim Harrell, Secretary



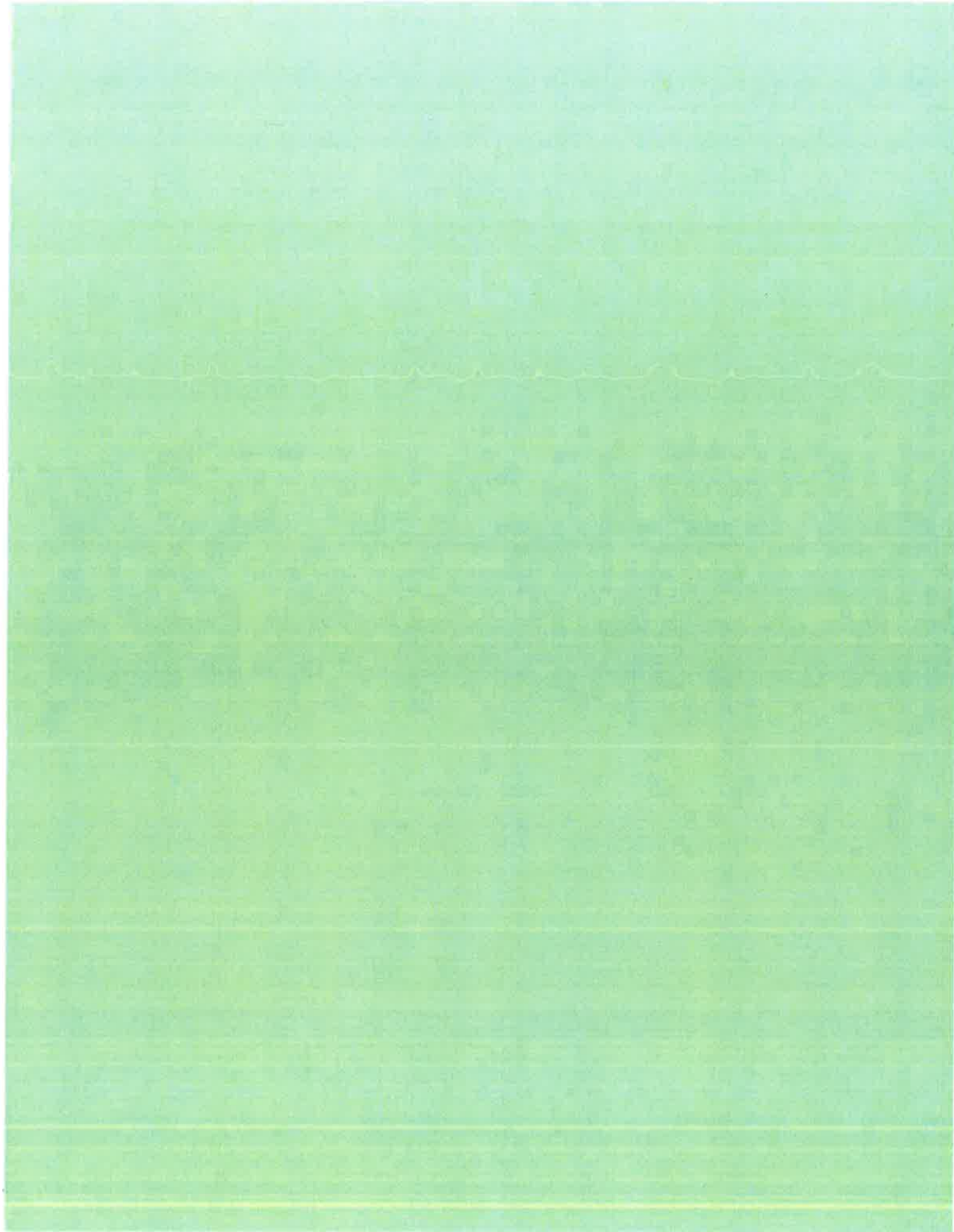
Dr. Linda K. Ledbetter, Member



Brian R. Tam, Member

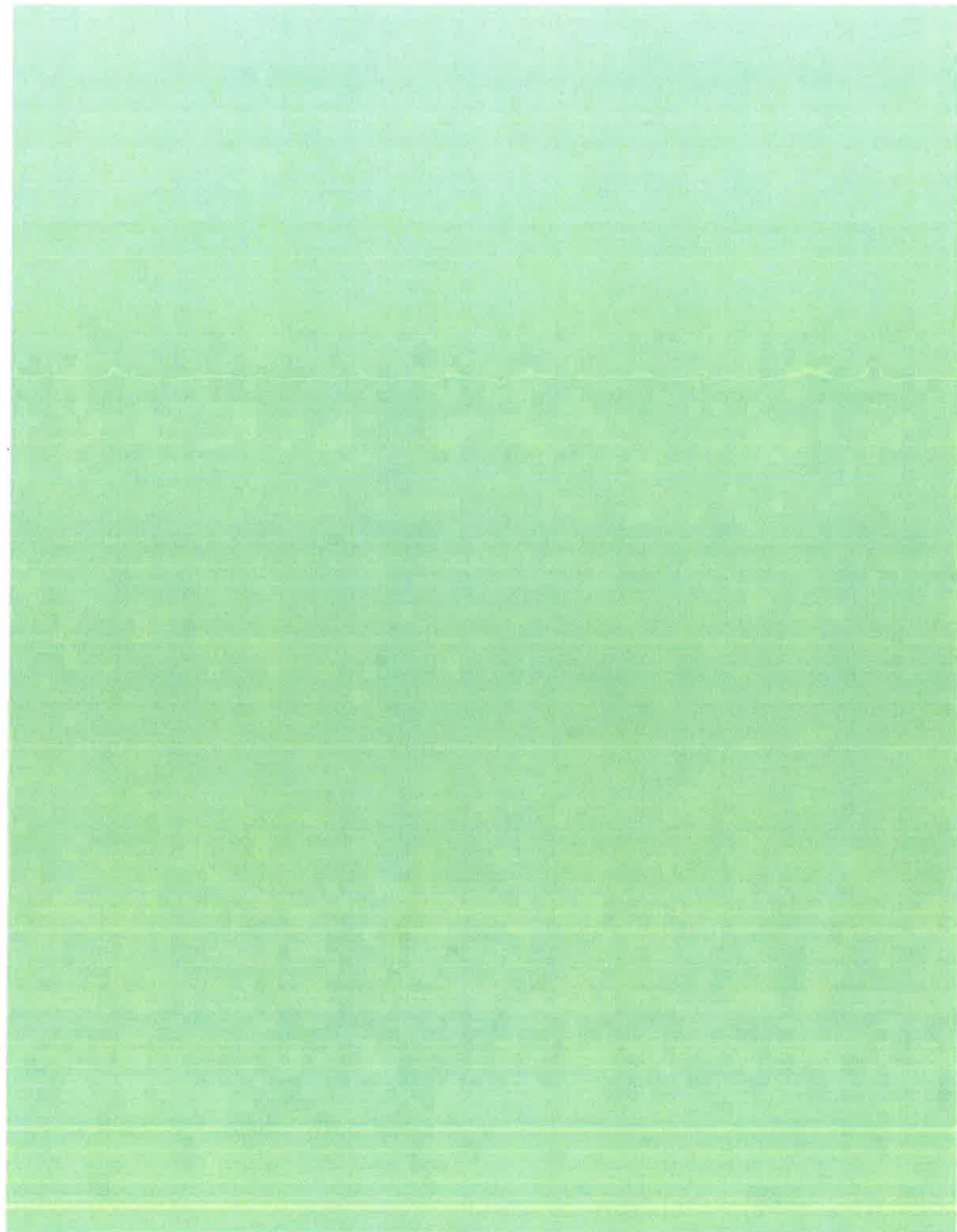
Attest:


County Clerk



COUNTY TRUCK ROUTES

ROUTE	FROM	TO
Bethelview Road	SR 9	SR 20
Dr. Bramblett Road	Spot Road	Spot Road Connector
<i>Hutchinson Road</i>	<i>SR 9</i>	<i>Castleberry Road</i>
McGinnis Ferry Road	Gwinnett County	McFarland Road
McFarland Road	McGinnis Ferry Road	SR 9
<i>North Old Atlanta Road</i>	<i>SR 9</i>	<i>Ronald Reagan Blvd.</i>
Old Buford Road	SR 9	SR 20 (Main Street)
Pendley Road	SR 9	Old Atlanta Road
<i>Ronald Reagan Blvd.</i> (f/k/a Marketplace Parkway)	SR 141	SR 20
Spot Road	SR 9	Dr. Bramblett Road
Spot Road Connector	Dr. Bramblett Road	SR 20



A RESOLUTION AND ORDINANCE

**BY
THE BOARD OF COMMISSIONERS OF
FORSYTH COUNTY, GEORGIA**

NUMBER 89

A Resolution and Ordinance to repeal Forsyth County Resolution and Ordinance number 21, adopted August 13, 1984, together with all amendments thereto; to provide for the regulation of through traffic by trucks and certain other motor vehicles on public roads, streets, highways, rights of way and thoroughfares within the unincorporated areas of Forsyth County as may be designated from time to time by the Board of Commissioners of Forsyth County; to provide for the maximum size of motor vehicles operated on the public roads of Forsyth County; to provide an effective date; to provide for penalties for the violation of said Resolution and Ordinance and for other purposes;

WHEREAS, the Forsyth County Board of Commissioners deems it to be in the public interest to regulate through traffic by trucks and certain other motor vehicles on public roads, streets, highways, rights of way and thoroughfares within the unincorporated areas of Forsyth County; and,

WHEREAS, existing Forsyth County Resolution and Ordinance Number 21 has required amendments on previous occasion would be redundant and in conflict with provisions of this Resolution and Ordinance and, therefore, should be repealed.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AND ORDAINED by the Board of Commissioners of Forsyth County, Georgia, as follows:

SECTION I:

All motor vehicles having a gross weight in excess of thirty-six thousand (36,000) pounds, including the load thereon, or having an overall length in excess of thirty (30) feet, except vehicles designed to carry passengers; are prohibited from using any public roads within the unincorporated County except those authorized and designated as truck routes by this ordinance, except when the terminal, parking lot, or repair garage, or headquarters, or place of pickup or delivery of the restricted motor vehicle is not on a

designated truck route, ingress to and egress from such places shall be made by the most direct route available between the terminal, parking lot, repair garage, headquarters, or place of pickup or delivery and nearest designated truck route.

SECTION II:

No vehicle shall be operated on any public road maintained by Forsyth 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. The maximum gross weight shall then not exceed eighty thousand (80,000) pounds.

SECTION III:

No wheel on any vehicle operated upon any public road maintained by Forsyth County, equipped with high pressure, pneumatic solid rubber or cushion tires shall carry a load which exceeds eight thousand (8,000) pounds by more than thirteen (13%) percent, or an axle load which exceeds sixteen thousand (16,000) pounds by more than thirteen percent (13%); no wheel equipped with low pressure pneumatic tires shall carry a load which exceeds nine thousand (9,000) pounds by more than thirteen (13%) percent, or any axle load which exceeds eighteen thousand (18,000) pounds by more than thirteen (13%) percent; 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 or axles and does so when requested by the proper authority, said driver shall not be operating in violation of this Section.

SECTION IV:

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 law enforcement 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.

SECTION V:

If any designated truck route, or portion thereof, shall be under repair or otherwise temporarily out of use, restricted vehicles as defined Sections I, II, III or IV shall use other temporary truck routes as may be designated by the County.

SECTION VI:

Forsyth County Resolution and Ordinance Number 21 shall be and the same is hereby repealed. If any section, sub-section, sentence, clause, phrase or any portion of this Ordinance be declared invalid or unconstitutional by any Court of competent jurisdiction, or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be declared or construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance 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 thereof as may not be held invalid for any reason.

SECTION VII:

All ordinances, or parts of Ordinances, in conflict with the terms of this Ordinance, shall be and the same are hereby repealed; but it is hereby provided, that any Ordinance, resolution, or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provision hereof, which shall be liberally construed in favor of Forsyth County, are hereby adopted as a part hereof.


SECTION VIII:

Violation of this Resolution and Ordinance or any part thereof shall be punishable by a maximum fine of \$1,000.00 or imprisonment for 60 days or both. Jurisdiction over violation of this Resolution and Ordinance shall be in the court or courts having jurisdiction over state traffic offenses.

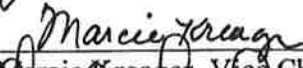
This Resolution and Ordinance shall become effective on the first day following its adoption.

This Resolution and Ordinance is hereby adopted this the 21ST day of July, 2003.

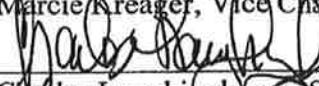
FORSYTH COUNTY BOARD OF COMMISSIONERS



Jack Conway, Chairman



Marcie Kreager, Vice Chairman



Charles Laughinghouse, Secretary

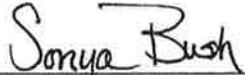


David F. Pritchett, Member



Eddie Taylor, Member

Attest:



Sonya Bush, Clerk

STATE TRUCK ROUTES

ROUTE	FROM	TO
SR 9	Fulton County	Dawson County
SR 20	Gwinnett County	Cherokee County
SR 53	Hall County	Dawson County
SR 141	Fulton County	SR 9
SR 306	SR 9	SR 53
SR 306	SR 20	SR 9
SR 369	Hall County	Cherokee County
SR 371	SR 9	SR 20
SR 400/US 19	Fulton County	Dawson County

COUNTY TRUCK ROUTES

ROUTE	FROM	TO
Spot Road	SR 9	Dr.Bramblett Road
Dr. Bramblett Road	Spot Road	Spot Road Connector
Spot Road Connector	Dr. Bramblett Rd.	SR 20
Old Buford Road	SR 9	SR 20 (Main Street)
Bethelview Road	SR 9	SR 20
McGinnis Ferry Road	Gwinnett County	McFarland Road
McFarland Road	McGinnis Ferry Road	SR 9
Pendley Road	SR 9	Old Atlanta Road
Market Place Parkway	SR 141	SR 20