

Chapter 19
TRAFFIC *

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***Cross references**--Offenses, Ch. 11; streets and sidewalks, Ch. 16; vehicles for hire, Ch. 21.

State law references--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.

Section 19-0A **ARTICLE I. IN GENERAL**

Section 19-1 **State uniform rules of the road adopted.**

(a) *Adoption by reference.* Pursuant to Chapter 6 of Title 40 of the Official Code of Georgia Annotated, O.C.G.A. §§ 40-6-372 through 40-6-376, code sections 40-6-2 to 40-6-395 of that chapter 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 this city with like effect as if recited herein.

(b) *Penalties.* Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this chapter shall be punished in accordance with the provisions of section 1-6.

(Code 1958, § 22-1)

State law references--Prosecution under state law or local ordinance; double jeopardy, O.C.G.A. § 40-6-376.

Section 19-2 City manager's authority to regulate.

The city manager is hereby empowered to make and enforce regulations necessary to make effective the provisions of this chapter and to make temporary regulations which are not inconsistent with the provisions of this chapter.

(Code 1958, § 22-2)

Section 19-3 Enforcement of chapter provisions; authority to direct traffic.

It shall be the duty of the police department of this city to enforce the provisions of this chapter. Officers of the police department are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this chapter, provided that in the event of fire or other emergency, or to expedite traffic or safe-guard pedestrians, officers of the police or fire department may direct traffic, as conditions may require, notwithstanding the provisions of this chapter.

(Code 1958, § 22-3)

State law reference--Local authorities may regulate traffic by means of police officers or official traffic control devices, O.C.G.A. § 40-6-371.

Section 19-4 City manager's authority to designate crosswalks, traffic lanes and intersections with turning restrictions.

(a) The city manager is hereby authorized to establish and to designate, and shall thereafter maintain, by appropriate devices, marks or lines upon the surface of the street, crosswalks approximately equal in width to the adjacent sidewalk at all intersections where in his opinion there is particular danger to pedestrians.

(b) The city manager is also authorized to mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the provisions of this chapter.

(c) The city manager is hereby empowered to determine those intersections at which operators of vehicles shall not make a left turn, a right turn, or a U-turn and shall place proper signs at such intersections.

(Code 1958, § 22-4)

Section 19-5 City manager's authority to close streets.

(a) The city manager is hereby empowered to close any street or part thereof from traffic by vehicles or pedestrians, either one (1) or both, when in the opinion of the city manager it is deemed necessary or advisable:

- (1) While street construction, improvements or repairs are being made;
- (2) When traffic thereon would subject persons or property to extra hazard or danger from any cause;
- (3) To affect quarantine regulations; or
- (4) To prevent noises in case of sickness.

(b) Such closed streets or portions of streets shall be designated by suitable signs or barriers to show that they are closed. It shall be unlawful for any person to enter upon any street or portion of street so closed.

(Code 1958, § 22-5)

Section 19-6 Marking of official vehicles.

Any motor vehicle which is used on official business by any person authorized to make arrests for traffic violations in this city shall be distinctly marked in accordance with the provisions of O.C.G.A. § 40-8-91.

(Code 1958, § 22-8)

State law reference--Marking and equipment of law enforcement vehicles, O.C.G.A. § 40-8-91.

Section 19-7 Boarding or alighting from moving vehicle.

It shall be unlawful for any person to board or alight from any vehicle while such vehicle is in motion.

(Code 1958, § 22-10)

Section 19-8 Riding on portions of vehicles not designed for passenger use prohibited; exceptions.

It shall be unlawful for any person to ride on any vehicle upon any portion thereof not designated or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or within truck bodies in the space intended for merchandise.

(Code 1958, § 22-11)

Section 19-9 Use of bicycles, scooters, skateboards, roller blades, all terrain vehicles, mini-motorcycles, and other similar devices restricted.

(a) Where prohibited. The use of bicycles, scooters, skateboards, rollerblades and similar devices shall be prohibited on any roadway or sidewalk within the corporate limits of the City of Thomasville:

(1) Where the volume or speed of the vehicular traffic or the width of the roadway or sidewalk renders the roadway or sidewalk unsafe or unsuitable for the use of bicycles, scooters, skateboards, rollerblades and similar devices. Unless otherwise prohibited, an individual may ride a bicycle on any roadway which is generally used by motor vehicle traffic

(2) In any portion of the city zoned as a commercial district (C-1, C-1A, and C-2), unless the owner of property in that zone authorizes the use of scooters, skateboards, rollerblades and similar devices, and has posted a sign thereon indicating the authorization. Bicycles may be used on such property so long as the use of the bicycle is for transportation purposes only. Otherwise, the use of bicycles for "ramp jumping" and similar activities unrelated to transportation is prohibited on such property.

(3) In any city park, city owned property or other public area which has not specifically been designated and posted as an area where the use of scooters, skateboards, rollerblades and similar devices, as specified, is allowed. Bicycles may be used on such property as long as the use of the bicycle is for transportation purposes only. Otherwise, the use of bicycles for "ramp jumping," racing and similar activities unrelated to transportation is prohibited.

(b) Yield right-of-way. Notwithstanding their status as pedestrians, users of bicycles, scooters, skateboards, rollerblades and similar devices on roadways or sidewalks shall yield the right-of-

way to all vehicular traffic and to all other pedestrian traffic upon the roadway or street and shall otherwise obey all applicable traffic laws, rules and regulations.

(c) Rights and duties. Users of bicycles, scooters, skateboards, rollerblades and similar devices in authorized areas shall be granted all of the rights and shall be subject to all the duties applicable to other pedestrians.

(d) Limitation on operation. No more than one person shall operate or ride on a bicycle, scooter or similar device at one time, with the exception of bicycles specifically designed for two riders and adult bicyclists riding with children in attached seats designed for children.

(e) Prohibited Activities. The use of bicycles, scooters, skateboards, roller blades and similar devices in a reckless, disruptive, or unsafe manner is prohibited. A reckless, disruptive or unsafe manner is defined as riding at excessive speed; performing or practicing stunts; causing noise which disrupts people; riding with undue regard for the safety of others; or riding in a manner that causes damage to public property or private property.

(f) Other vehicles prohibited. The operation of all terrain vehicles (“ATV”) and mini-motorcycles, also known as “pocket rockets” or “pocket bikes,” may not take place in the city or any street, roadway, public property or private property open to the public, including, but not limited to, parking lots and similar locations where members of the public may be expected to be present.

(g) Vehicles used by the physically impaired. The provisions of this section shall not apply to the use of motorized devices used by the physically impaired for transportation purposes.

(h) Authority to establish written regulations. The Chief of Police or his designee is authorized to establish all written regulations necessary to implement the provisions of this section.

(Code 1958, § 22-12)
(19-9, Amended, 02/09/2006)

Section 19-10 Bicycles striking persons prohibited; presumption of fault in accident occurring on sidewalk.

It shall be unlawful for any person to run a bicycle against another. In case any person shall be struck by any bicycle ridden by another on any of the sidewalks of the city, the rider shall be presumed to be at fault and the burden of proof shall be upon such person to show that the fault was not his. Incapacity to manage the vehicle shall be no excuse or justification for the accident.

(Code 1958, § 22-14)

Section 19-11 Lighted headlights and other lights required.

Every vehicle upon a street within this city at any time from a half hour after sunset to a half hour before sunrise and at any time when it is raining in the driving zone and at any other time when there is not sufficient visibility to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall display lights, including headlights, and illuminating devices as required in this chapter for different classes of vehicles, subject to exceptions with respect to parked vehicles as stated in O.C.G.A. §40-8-28.

(Code 1958, § 22-16)

State law reference--When lighted headlights and other lights required, O.C.G.A. §40-8-20.

Section 19-12 Placing glass on street prohibited; removal required after wreck.

(a) No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire,

cans, rubbish, garbage, trash or other dangerous or unsightly material which is likely to injure any person, animal, or vehicle upon such street.

(b) Any person who drops, or permits to be dropped or thrown, upon any street or highway any destructive or injurious material shall immediately remove such material or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

(Code 1958, § 22-17)

State law references--Litter Control Law, O.C.G.A. § 16-7-40 et seq.; littering highway, O.C.G.A. § 40-6-249; wrecker driver required to remove glass and parts of vehicle being towed, O.C.G.A. § 40-6-277.

Section 19-13 Blocking of streets and intersections by trains unlawful.

It shall be unlawful for the directing officer or the operator of any railway train, locomotive, car or any other railway vehicle to direct the operation of or to operate such train in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or cars in continuing motion. It shall be unlawful for any train or car to stop within an intersection or on a crosswalk for the purpose of receiving or discharging passengers or freight.

(Code 1958 § 22-18)

State law reference--Legal responsibility of train crew member for blocking street pursuant to instruction of supervisory officials, O.C.G.A. § 46-8-197.

Section 19-14 Train speed restricted.

All railroad trains operating within the city shall be required to be operated at speeds not in excess of thirty-five (35) miles per hour when crossing South Broad Street, South Dawson Street, South Madison Street, and West Jackson Street. This speed limit shall apply to any portion of a railroad train that might be crossing such streets, irrespective of the position or location of the engines. Engineers, conductors or others in control of any train violating this section shall, upon conviction in municipal court, be punished as provided in section 1-6.

(Code 1958, § 22-19)

State law reference--Duty of railroad companies and engineers to observe speed limit ordinances, O.C.G.A. § 46-8-191.

Section 19-15 Railroads required to provide mechanical warning devices at certain crossings.

Every person operating a railroad through the city shall be required to provide mechanical warning systems at the following crossings:

- (1) South Broad Street.
- (2) Campbell Street.
- (3) South Dawson Street.
- (4) Fletcher Street.
- (5) South Hansell Street.
- (6) West Jackson Street at Lee Street.
- (7) South Madison Street.
- (8) Pinetree Boulevard East at Metcalf Ave.
- (9) Pinetree Boulevard East south of Pennington Ave.

- (10) West Jackson Street at Parnell Street.
 - (11) Market Street.
 - (12) Susie Way Street at Metcalf Ave.
 - (13) North Broad Street at Luten Lane.
- (Code 1958, § 22-20)

State law reference--Authorization to designate particularly dangerous highway grade crossings of railroads, O.C.G.A. § 40-6-141.

Section 19-16 Penalty.

For the violation of this chapter the person violating such provisions, or in a case of a corporation, its agents or employees, upon conviction therefor in the municipal court, shall be punished as provided in section 1-6.

(Code 1958, § 22-22)

Section 19-17--19-35. Reserved.