

CHAPTER 11: TRAFFIC CONTROL

Section

11-101 Uniform Rules of the Road



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1. **Adoption By Reference.** Pursuant to Chapter 6, Title 40 of O.C.G.A. § 40-6-372 through 40-6-376, § 40-6-1 to 40-6-395 (except for § 40-6-393 and 40-6-394), and Chapter 2, Title 40 of O.C.G.A. § 40-2-20 and Chapter 5, Title 40 of O.C.G.A. § 40-5-20, 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 municipality with like effect as if recited herein.
2. **Penalties.** Unless another penalty is expressly provided by law, any person convicted of a violation of any provision of this Code Section shall be punished by a fine of not more than one hundred dollars (\$100.00) or imprisonment for not more than ten (10) days or by both such fine and imprisonment.
3. Pursuant to O.C.G.A. § 4-5-121, the municipal court of the Town of Maxeys shall be authorized to impose punishment in accordance with Georgia Law for convictions of driving while a license is suspended or revoked.

Section 11-102

Georgia, Oglethorpe County, Town of Maxeys

The Council of the Town of Maxeys hereby ordains the following ordinance limiting travel on certain streets within the city limits of the Town of Maxeys,

WHEREAS, the Town of Maxeys is vested with the authority to provide for the safe use of public roads of Maxeys, Georgia; and

WHEREAS, truck traffic impacts the traveling citizens of Maxeys, Georgia and on certain roads and at certain locations within the city limits can create safety hazards; and

WHEREAS, truck traffic causes premature and unreasonable destruction or damage on certain roads and at certain locations within Maxeys, Georgia.

NOW THEREFORE, be it hereby ordained for the purpose of promoting the health, safety and general welfare of the present and future inhabitants of Maxeys, Georgia; to restrict truck traffic from certain roads in the city limits, and establish standards for prohibiting trucks and tractor trailers from traveling, parking or entering residential subdivision streets, certain city streets and from overnight parking on the rights-of-way in Maxeys, Georgia, the Council of the Town of Maxeys does hereby ordain and enact into law the following:

1. SHORT TITLE: This ordinance shall be known and may be cited as the Truck Traffic Ordinance.
2. DEFINITIONS:
 - A. "Truck" means any vehicle with more than 6 wheels, except **vehicles or operators of local origin**, recreational vehicles, busses used in transportation of chartered parties and government owned vehicles.
 - B. "Residential Subdivision" an area with streets designed primarily for residential and accessory traffic that are primarily interior subdivision streets and specifically including all residential areas platted and regulated by the Oglethorpe County Subdivision Regulations.
3. PROHIBITION ON THROUGH TRUCKS
 - A. It shall be unlawful for any truck to travel those certain County roads set forth on the attached Exhibit "A", as now or hereafter amended unless the vehicle trip originates or ends on such road within the city limits or is made for the purpose of making a delivery to a site on such road. All such roads shall be posted with signs at each end of said road that state, "No Thru Trucks", at the Council's discretion such signs may also be posted at the intersection of any such road with other roads.
 - B. This Ordinance shall apply to roads specifically authorized herein by the Council and as later added to or deleted from Exhibit "A" by Resolution of the Council. Upon adoption, this Ordinance shall apply immediately to those Roads listed on Exhibit A attached hereto and incorporated herein by reference.

4. PROHIBITION ON TRAVEL IN RESIDENTIAL SUBDIVISIONS. No truck shall enter, travel or park on a street in a residential subdivision in Maxeys, Georgia, except for the purpose of delivering goods to houses or points within such residential subdivision for short periods of time during daylight hours. ***Operators or owner/operators residing in subdivisions prior to the enactment of this ordinance are exempt from this section of the ordinance until such time that they voluntarily cease operations.***
5. OVERNIGHT STAY. No truck or tractor-trailer shall enter, travel or park on a street in a residential subdivision or park on a right-of-way in Maxeys, Georgia for the purpose of an overnight stay by the driver or operator.
6. VIOLATIONS. Any person violating this Ordinance shall be punished by a fine not to exceed One Thousand and No/100 Dollars (\$1,000.00) or sixty (60) days imprisonment. Each day that the offense continues shall constitute a separate violation.
7. SEVERABILITY. Should a sentence, section, subsection or provision of this Ordinance or application thereof be declared unconstitutional or invalid, such declaration shall not affect or impair the validity of the reminder of said Ordinance or the Ordinance as a whole or any part or application so declared to be unconstitutional or invalid.

This Ordinance shall take effect and shall be in force from and after the date of its adoption, the public welfare demanding it.

This 11th day of October, 2011

City of Maxeys

John R. Stephens, Jr. -Mayor

Kurk Lance

Danny Gorman

Teresa Churchwell

William Winkle

Attest: William Dawkins , City Clerk

Adoption notes:

Adoption as Emergency Ordinance October 11, 2011

1st reading: October 11, 2011

Second Reading November 8, 2011

Adopted November 8, 2011

EXHIBIT A
List of Roads

Cherry Street
Hill Street
Church Street
Paved Area of Pine Street

Chapter 11. Section 11-102 Engine braking.

- (a) *Title.* This section shall be referred to as the City of Maxeys Engine Braking Ordinance.
- (b) *Definitions.*
 - (1) *Engine braking* means:
 - a. The utilization of any mechanical device which uses a motor vehicle's exhaust to aid in the braking, slowing, stopping, or deceleration of the motor vehicle; or
 - b. The utilization of a "jake brake," retarder, or compression release brake to aid in the braking, slowing, stopping, or deceleration of a motor vehicle.
 - (2) *Emergency* means a situation in which no other means is available to avoid an imminent collision with another vehicle, person, or property.
 - (3) *Excessively loud noise* means a sound generated by engine braking which is audible to a person of ordinary hearing at least 100 feet away from the vehicle which is the source of said sound.
- (c) *Prohibition on engine braking resulting in an excessively loud noise in the City of Maxeys.* It shall be unlawful, while on any public road, street, or highway in the City of Maxeys, except in the case of an emergency, for the operator of a motor vehicle to engage in engine braking which results in an excessively loud noise.
- (d) *Violation and penalties.*
 - (1) Any person charged with violating the Oglethorpe County Engine Braking Ordinance shall be tried in the Magistrate Court of Oglethorpe County in accordance with the provisions of this Code. Prosecution for such violations shall be upon citation issued and served upon the accused violator by the Oglethorpe County Sheriff or his deputy.
 - (2) Any person convicted of a violation of the City of Maxeys Engine Braking Ordinance shall be punished by a fine of not more than \$1,000.00 per offense or by imprisonment in the county jail for a period not to exceed six months, or by both fine and imprisonment, as provided by O.C.G.A. § 15-10-60. Each act in violation of this Oglethorpe County Engine Braking Ordinance shall constitute a separate offense.

(Ord. No. 2025-01, § 1, 7-8-2025)