

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CITY OF SANDY SPRINGS CODE OF ORDINANCES BY ADDING ARTICLE 4, TO ADOPT REGULATIONS FOR THE REMOVAL OF PARKED VEHICLES FROM PRIVATE RESIDENTIAL PROPERTY**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on September 18, 2007 at 6:00 p.m. as follows:

**SECTION 1.** That O.C.G.A. § 44-1-13 provides that the owner of private residential property containing not more than four residential units shall have the right to remove or cause to be removed from the private property any vehicle which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle without the posting of any notice; and

**SECTION 2.** That the Mayor and City Council find that it is important to maintain private residential property free and clear from illegal parking and blocking of access of private citizens to the public right-of-ways and public services;

**SECTION 3.** That the Mayor and City Council find that the parking of vehicles on private residential property within the jurisdictional limits of the City has become a problem for its citizens and that it impinges on the health, safety and welfare of the citizens of Sandy Springs;

**SECTION 4.** O.C.G.A. § 44-1-13 regarding the right of the occupant of private property to impound illegally parked vehicles is hereby adopted in its entirety and incorporated by reference and a new article is inserted in the City of Sandy Springs Code of Ordinances relating specifically to the trespass of vehicles on private residential property containing not more than four (4) residential units to read as follows:

Article 4: Private Residential Property Trespass and Private Residential Property Trespass Towing

*Section 1: Definitions*

As used in this article, unless the context clearly requires otherwise, the following words or phrases shall have the following meanings:

*Park* shall mean to park unattended or abandon a vehicle on private residential property without authority or permission of the owner or occupant of the private residential property.

*Person* shall mean any individual, firm, partnership, association, corporation, company, or organization of any kind.

*Private residential property* shall mean residential property within the City which is privately owned and which contains not more than four residential units thereon.

*Wrecker* or *wrecker service* shall initially mean A-Tow Roswell, Inc., 11512 North Fulton Industrial Boulevard, Alpharetta, Georgia 30004. *Wrecker* or *wrecker service* shall subsequently

mean an automotive vehicle with hoisting apparatus and equipment for towing vehicles which meets the qualifications imposed by the Georgia Public Service Commission and the City for non-consensual towing pursuant to the provisions of O.C.G.A. Section 44-1-13, as may be amended from time to time, and Chapter 11 of the Transportation Rules of the Georgia Public Service Commission, as may be amended from time to time.

*Vehicle* shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

*Section 2: Prohibited on Private Residential Property Without Invitation*

It shall be unlawful for any person to park a vehicle upon private residential property in the City without invitation or permission from the owner or person in legal possession of the premises. Any person or his or her authorized agent entitled to the possession of any parcel or space of private residential property shall have the right to remove or cause to be removed from the private residential property any vehicle thereon which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle.

*Section 3: Removal and Storage*

Upon notification by a person entitled to the possession of private residential property that a vehicle is trespassing thereon, the City police department shall provide such person with the name and telephone number of the City's authorized wrecker service for non-consensual towing, as determined by resolution of the Mayor and Council of the City. The City police department shall not contact the wrecker service directly for the removal of the trespassing vehicle from the private residential property, but shall assist the person owning the private residential property by providing the name and telephone number of the City's authorized wrecker service for non-consensual towing.

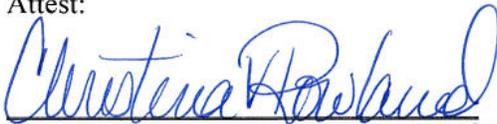
**SECTION 5.** That this Ordinance shall be effective September 18, 2007.

**ORDAINED** this the 18th day of September, 2007.

Approved:

  
Eva Galambos, Mayor

Attest:



Christina Rowland, City Clerk  
(Seal)

