

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 340

AN ORDINANCE to amend Chapter 32 of the of the Code of the City of Lookout Mountain, Georgia (the "City Code"), to remove the prohibition against the operation of motorized carts during the period from 30 minutes before sunset to 30 minutes after sunrise, and for other purposes.

WHEREAS, the Council of the City of Lookout Mountain, Georgia, heretofore adopted Ordinance No. 286, now codified at Section 32-6 of the City Code, designating certain public streets within the City of Lookout Mountain for the combined use of motorized carts and regular vehicular traffic; and

WHEREAS, Section 32-6(d)(3) of the City Code (Ordinance No. 286, Section 4(c)) provides that motorized carts may only be operated on the streets of the City during full daylight and may not be operated during the period from 30 minutes before sunset to 30 minutes after sunrise; and

WHEREAS, the Council of the City of Lookout Mountain has determined that motorized carts, if properly equipped, maintained and operated in the manner required by Section 32-6 of the City Code, may safely be operated after dark and that the prohibition against such operation should be deleted:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

SECTION 1. Subparagraph (d)(3) of Section 32-6 of the City Code, providing that motorized carts may only be operated on the streets of the City of Lookout Mountain during full

daylight and may not be operated during the period from 30 minutes before sunset to 30 minutes after sunrise, is hereby deleted in its entirety. The remaining subparagraphs of Section 32-6(d) of the City Code shall be renumbered in sequence.

SECTION 2. All other provisions, requirements and regulations set forth in Section 32-6 of the City Code (originally adopted as Ordinance No. 286) shall remain in full force and effect and shall in no way be diminished or otherwise affected by this ordinance, it being the express intent of the Council of the City of Lookout Mountain that Section 32-6 of the City Code, with the limited amendment contained in this ordinance, be fully enforced.

SECTION 3. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.


SECTION 4. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. Part of Code of Ordinances. It is the intention of the Council of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City, and the Sections of this Ordinance may be renumbered to accomplish such intention.


SECTION 6. Effective Date. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council of the City of Lookout Mountain, Georgia, after two (2) readings at least one (1) week apart.

APPROVED on first reading on July 14, 2022.

Signatures follow on next page.



Member of City Council



Member of City Council

Ellen Taylor Watson

Member of City Council

Member of City Council

Member of City Council


A. S. B. O.

Mayor of Lookout Mountain, Georgia

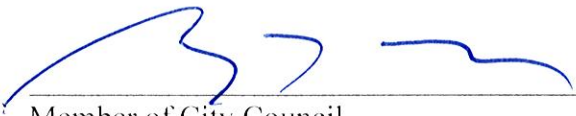
APPROVED AND ADOPTED on second reading on August 11, 2022.



Member of City Council



Member of City Council



Member of City Council

Ellen Taylor Watson

Member of City Council

Member of City Council

A. J. B. S.

Mayor of Lookout Mountain, Georgia

ATTEST:

Cindy Roll

City Clerk

