

CHAPTER 12
SECTION 3: VEHICLE WEIGHT LIMITS
(ORDINANCE 12/07/1982)

A. MAXIMUM WEIGHT

1. No vehicle operated upon any public paved road of the County Road system of Wilkinson County, Georgia shall use said road if the maximum total gross weight of said vehicle exceeds 56,000 pounds, unless said vehicle is making a pick up or delivery on such road.

B. PENALTIES

1. Any person who violates the load limitation provision of this Ordinance shall be conclusively presumed to have damaged the public road, including bridges, of the County by reason of such overloading and shall recompense the County for such damage in accordance with the following schedule: For the first 1,000 pounds of excess with, .08 per pound, plus .15 per pound for the next 2,000 pounds of excess weight, plus .03 per pound for the next 2,000 pounds of excess weight, plus .04 per pound for the next 3,000 pounds of excess weight, plus .05 per pound for all excess weight over 8,000.

C. ADDITIONAL PENALTIES

1. Any owner or operator of a vehicle which is operated on such a public county road in violation of the weight limitations provided in this resolution shall be required, in addition to paying the fine provided in paragraph 2 of this section, to unload all gross weight in excess of 6,000 pounds over the legal weight limit before being allowed to move the vehicle.

D. SEIZURE OF VEHICLE

1. Any person authorized by law to enforce this ordinance may seize the offending vehicle of an owner who fails or whose operator has failed to pay the fine prescribed in this ordinance and hold such vehicle until the prescribed fine is paid. Any person seizing such vehicle under this resolution may, when necessary, store the vehicle and the owner thereof shall be responsible for all reasonable cost of storage thereon. When any vehicle is seized, held, unloaded, or partially unloaded under this ordinance, the load or any part thereof shall be removed or cared for by the owner or operator of the vehicle without any liability on the part of the authorized person or of the county because of damage or loss of such load or any part thereof.
2. Within 15 days after the issuance of a citation authorized under this resolution, the owner or operator of any offending vehicle shall pay the amount of the assessment to the County or request an administrative determination of the amount and validity of the assessment. If an administrative hearing is requested, it shall be held in accordance with Chapter 13, of Title 50, the Georgia Administrative Procedure Act. Any person who has exhausted all administrative remedies available and who is aggrieved by a final order of the County

Commissioners is entitled to judicial review in accordance with Chapter 13, of Title 50, of the Official Code of Georgia.

3. The County Commission or any official or agent designated by the Commission, may upon application in writing and good cause being shown therefore, issue a permit in writing authorizing the applicant to operate or move upon the county public road a motor vehicle or combination of vehicles and loads whose weight exceeds the maximum limit specified herein; provided, that the load transported by such vehicle is of such nature that it is a unit which cannot be readily dismantled or separated, and further provided that no permit shall be issued to any vehicle whose operation upon the public roads of the county threatens to unduly damage a road or any appurtenance thereto. Permits may be issued upon application to the County Commission to persons, firms, or corporations upon forms prescribed by the County Commission. Such permit shall be a single trip permit only, and shall be valid only for the time specified therein. Each such permit shall be carried in the vehicle or vehicles to which it refers and shall be open to inspection by any police officer, or state trooper or authorized Department of Transportation official. The application for any such permit shall specifically describe the type of load to be transported and shall describe the point of departure and destination. The charge for the issuance of a single trip permit shall be \$20.00 payable at the time of application for said permit.

E. SEVERABILITY

1. Each part, section, sentence and phrase of this resolution is declared to be severable and the invalidity of any such part, section, sentence or phrase shall not affect the remainder of this resolution.

F. REPEAL

1. All resolutions or parts thereof in conflict herewith are hereby repealed.