

Sec. 102-8. - Vehicle immobilization devices.

- (a) Purpose. The county finds that the immobilization "booting" of vehicles by private companies leads to unnecessary anger, conflict, a drain on public safety resources better spent elsewhere, and does not resolve the issue of improper use of a parking space. The county has determined vehicle immobilization services to be unnecessary and not in the best interests of the county.
- (b) Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, unless where the context clearly has a different meaning:

Operator means any person, including a sole proprietor, independent contractor, partnership or similar business entity, operating vehicle immobilization devices for a vehicle immobilization service.

Vehicle immobilization device or boot means any mechanical device that is designed or adopted to be attached to a wheel, tire, or other part of a parked motor vehicle so as to prohibit the motor vehicle's usual manner of movement or operation.

Vehicle immobilization service means a person, including sole proprietor, independent contractor, partnership or similar business entity, offering services anywhere in the unincorporated portions of the county whereby vehicles are immobilized by the installation of a vehicle immobilization device.

- (c) Prohibition. Immobilization of the vehicle of another by use of a boot or other like device is prohibited in unincorporated Gwinnett County.
- (d) Violations. In addition to the penalties provided in subsection (f) of this section, any person(s), operator or vehicle immobilization service found to have violated this section may be prosecuted as provided in subsection (f) of this section.
- (e) Enforcement. The county police department shall be responsible for the enforcement of this section.
- (f) Penalty. The operator cited pursuant to this section shall be liable for a monetary penalty not to exceed \$1,000.00. Citations shall be issued by the county police department in accordance with set policy.

(Code 1994, § 110-8; Ord. of 2-20-2007, § 1)

State Law reference— Magistrate courts, O.C.G.A. § 15-10-1 et seq.; violation of county ordinances, O.C.G.A. § 15-10-60 et seq.; punishment for misdemeanors, O.C.G.A. § 17-10-3; maximum punishments which may be imposed for violations of county ordinances, O.C.G.A. §

36-1-20(b); county responsibility for sentencing and maintenance of inmates, O.C.G.A. § 42-5-51(a).