

Ordinance Number ORD-2020-47

AN ORDINANCE

To enact Article III, Chapter 74 of the Code of the City of Douglasville to provide for installation of speed humps on existing streets; to repeal any conflicting ordinances; to provide an effective date; and other purposes.

BE IT ORDAINED by the Mayor and City Council of Douglasville, Georgia, and it is hereby ordained by the authority thereof as follows:

SECTION ONE

Article III, Chapter 74 of the Code of the City of Douglasville is enacted to read as shown in Exhibit A attached.

SECTION TWO

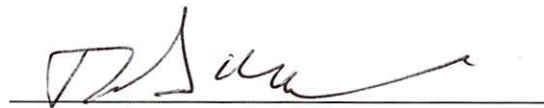
This ordinance shall become effective on the date after its enactment.

SECTION THREE

City resolutions R-89-30 and R-05-01 are repealed. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Ordained this the 8th day of September, 2020.


Rochelle Robinson, Mayor



Terry Miller, Mayor Pro Tem



Mark Adams, Councilmember


Dr. LaShun B. Danley, Councilmember


Sam Davis, Councilmember


Howard M. Estes, Councilmember


Nycole N. Miller, Councilmember


Chris "Coach" Watts, Councilmember

Attest.

Vicki L. Acker, City Clerk

Exhibit A

Chapter 74 – Article III.

Sec. 74-86. – Generally.

Speed hump installations into and removals from existing streets shall be in accordance with this Article.

Sec. 74-87. Citizen requests for installation of speed humps.

(a) Petitions.

- (1) All requests for installation shall originate from the owners of residential property fronting on the street where installation is requested, and within 75 feet of the proposed location of any speed hump (the "Affected Area").
- (2) The only lots whose owners may petition or sign a petition shall be those containing a single-family residence, a duplex residence, or a condominium.
- (3) All requests shall be on forms prepared by the City, and completed forms shall adequately describe the shape, function, and location of the proposed speed hump(s), state the name and contact information of one of the petitioners to serve as coordinator for the request, and state the petitioners' willingness to pay for the cost of the requested speed humps.
- (4) City staff shall have no duty to obtain signatures for petitions.
- (5) A separate petition shall be used for each street.
- (6) For any lot's owners to be considered in favor of the petition, the petition document must contain the signatures of all owners of that lot. A condominium lot's owner shall be considered to be the condominium association or other owner of its common areas. As a substitute for an owner's signature, a signer must have and submit with the petition executed power of attorney from the owner, or other entitling legal documents such as letters testamentary or letters of administration for the record owner's interest. Valid photocopied or emailed hand signatures are acceptable, but typed electronic signatures are not acceptable.
- (7) Each petition signature must be dated. Signatures older than 6 months prior to submission are void and ineffective. Any signature becomes void, even within 6 months after signing, if the signer has transferred his interest in the lot prior to submission of the petition to the city.
- (8) To be eligible for acceptance, each petition shall contain the signatures of all owners of at least sixty percent of the single-family residences fronting on the street and that are located within seventy-five feet of the proposed location for the speed hump.
- (9) To be eligible for acceptance, the Affected Area must be part of a streets classified by the City as a "local residential street" on the City's approved transportation plan. Other roads and streets such as arterials, collectors, and thoroughfare streets are ineligible.

- (10) All portions of the Affected Area must be located within the City limits and have a posted maximum speed limit of thirty (30) mph or lower.
 - (11) No portion of the Affected Area can be included in the petition if it was also included in a previous petition which was denied or failed to receive approval after public hearing by the city council within the immediate past two years.
 - (12) Completed petitions shall be submitted to the City Project Manager.
 - (13) At the time of submitting any petition, the petition shall pay to the City a filing fee of Seven Thousand Dollars (\$7,000.00).
- (b) Evaluation after submission. Upon receipt of any petition, the Project Manager shall review the petition and determine whether the petition meets the requirements of subsection (a). Thereafter, the City Project Manager shall notify the petition coordinator that the petition is eligible for approval, or that it is ineligible for approval and state the reason why the petition fails to meet the eligibility requirements. An ineligible petition shall not be considered further for installation of speed humps and the filing fee shall be refunded to the petitioner.
- (c) Report and scheduling of public hearing. For any petition judged eligible, the City Project Manager shall:
- (1) conduct a suitability study and prepare a written report which shall include at least the following:
 - (i) a traffic study conducted by an engineering firm, which study shall include a determination as to:
 - a. Whether the street of the Affected Area is a minimum of one thousand (1,000) feet in length (which may be party in unincorporated Douglas County), with at least one thousand (1,000) feet of each street having grades ten (10) percent or less and horizontal curves less severe than a radius of three hundred (300) feet;
 - b. Whether the 85th percentile speed as measured by a speed study is at least 11 mph greater than the posted speed limit of the street, with a measured two-way, 24-hour traffic volume less than 1,000 vehicles per day; for volumes above this threshold, the 85th percentile speed should be 9 mph greater than the posted speed;
 - (ii) Any available information from emergency service providers, such as police, fire department and emergency services, concerning the effects of installing speed humps as requested in the petition;
 - (iii) The most recent street asphalt ratings relative to resurfacing of the Affected Area;
 - (iv) The Project Manager's recommendation for or against installation of speed humps in the Affected Area proposed by the petition; and
 - (v) The estimated cost of installation of speed humps as proposed by the petition.

- (2) schedule a public hearing on the petition before the city council at a council meeting, notify the petition coordinator in writing of the fact, location, time and date of the hearing, and publish notice of the hearing on the City website for at least 14 days in advance of the hearing, with the first such day of publication being at least 21 days in advance of the hearing date, and with the last such day of publication being not more than seven days in advance of the hearing date. Additionally, notices shall be posted on the City's website, at the approximate location of any proposed speed hump and at any intersecting streets within the Affected Area.
- (d) Public hearing. The Program Manager shall present his suitability study and report to the city council at the public hearing on the petition, and the petition coordinator or his representative shall appear, speak and entertain the questions of the city council concerning the proposed speed humps and the petitioners' ability to pay for their cost. The city council may approve or deny any petition for speed humps. For any approval the city council shall establish the anticipated cost of the project to install the speed humps.
- (e) Approvals. All such approvals shall be in the form of an authorization for the mayor to sign an agreement with the petition coordinator requiring the petitioners to pay, at the time of their signing, the entire established cost of the project as determined by the city council. Any approval shall expire if the petitioner fails to pay the established project cost and sign the required agreement within six months after council approval.
- (f) Design. Any approved speed humps will be installed strictly in conformity with design guidelines established by the City at the time of installation and industry standards.
- (g) City's right to alter or remove. Approved and installed speed humps may be altered or removed by the city at any time without notice.
- (h) Requests to remove. Citizen requests for removal of a speed hump may be made only after the speed hump has been installed for a minimum of two years. A petition for removal shall be made following the same procedure as for installation, except that a petition for removal shall require 75% resident support.

Sec. 74-88. City's rights reserved.

The City may install, modify or remove speed humps on any City street at its own cost without need for a citizen petition.