

**CITY COUNCIL
ATLANTA, GEORGIA**

12-O-0695

AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG

AN ORDINANCE TO AMEND CHAPTER 138 (ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES"), ARTICLE IV, DIVISION 2, SECTION 138-84 AND 138-85 SO AS TO AMEND THE PROCEDURES TO BE FOLLOWED FOR THE INSTALLATION AND REMOVAL OF TRAFFIC CALMING DEVICES IN THE PUBLIC RIGHT OF WAY; AND FOR OTHER PURPOSES.

WHEREAS, it is recognized that the installation of traffic calming devices is appropriate where needed to control traffic and reduce the risk of accidents on certain streets in the City of Atlanta; and

WHEREAS, the City of Atlanta currently accepts requests for the installation of traffic calming devices from property owners through a petitioning process set out at Section 138-84 of the City of Atlanta Code of Ordinances; and

WHEREAS, the Department of Public Works has determined that Section 138-84 should be revised and amended so as to clarify the procedures that need to be followed by such property owners for the installation of traffic calming devices; and

WHEREAS, the Department of Public Works has determined that Section 138-85 should be revised and amended so as to clarify the procedures that need to be followed by such property owners for the removal of traffic calming devices.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: Section 138-84 of the City of Atlanta Code of Ordinances is amended, as set out below in bold and strikeout text, to revise said section as follows:

Sec. 138-84. Traffic calming devices--Installation.

(a) The following words, terms and phrases, when used in this section **and in Section 138-85**, shall have the meanings ascribed to them in this subsection except when the context requires otherwise:

- (1) *Traffic calming guidelines* mean the document titled "Traffic Calming Device Implementation Guidebook," prepared by City of Atlanta, May 1999 and any future revisions.
- (2) *ITE Guidelines* mean the document titled "Guidelines for the Design and Application of Speed Humps" issued by the Institute of

Transportation Engineers' I.T.E. Technical Council Speed Humps Task Force in March, 1993 and subsequent revisions.

- (3) *Speed **Table hump*** means that geometric roadway design features described and defined in the ITE guidelines, which shall be no less than 22 feet in width.
- (4) *Traffic calming device* means a roadway feature **such as speed tables, speed cushions, traffic circles and measures** implemented to reduce vehicular speed as described in the "Traffic Calming Implementation Guidebook" and "Guidelines for the Design and Application of Speed Humps".
- (5) *Street segment* means a portion of a local residential street within the city located between any two intersecting streets.
- (6) *Study area* means one or more street segments located within the proposed traffic calming area.
- (7) *Vertical traffic calming measures* means measures which create variations in pavement height along a vehicle travel path.

(b) The department of public works shall be responsible for the administration of the traffic calming program to include conducting a traffic engineering study to determine whether all of the conditions set forth below are met.

(c) As a part of such study, the affected Neighborhood Planning Unit, and the police and fire departments shall be notified and given the opportunity to comment on the propriety of installing traffic calming devices in the study area. In addition, all utility companies and other companies that have franchise agreements with the City shall be contacted to determine whether any work in the public right-of-way is planned in the study area.

(ed) Petitions may be submitted to the department of public works by property owners seeking the installation of traffic calming devices. The submission of such petitions must be within two years from the date of the traffic engineering study in a ~~When presented with petitions in a~~ form satisfactory to the city. **The petitions must be signed by 75 percent of the property owners in any study area on any street segment (based on parcel count front footage),** evidencing their desire to have such traffic calming devices installed. **The petitioners must to** accept the signage and markings appurtenant thereto, and ~~acknowledge~~ **acknowledging** that installing the traffic calming devices could slow the response time of ~~the~~ fire and police department **vehicles and ambulances** by several seconds per traffic calming device. ~~and slow other emergency vehicles as well, the department of public works shall be responsible~~

~~for the administration of the traffic calming program to include conducting traffic engineering studies to determine whether all of the conditions set forth below are met. As a part of such study, the police and fire departments shall be notified and given the opportunity to comment on the applicability of section 2.11 of the guidelines to the particular street segment. If all conditions are met, the city shall~~ **may** construct and install traffic calming devices ~~on such street segment in such study area.~~ The conditions, which must be met, are as follows:

- (1) The ~~study area street segment~~ **street** must be a residential street functionally classified as local or collector ~~street~~ except that ~~a collector street~~ **streets classified as collector and arterial streets** shall not qualify for **vertical traffic calming measures** ~~speed humps~~;
- (2) The 85th percentile speed of traffic on such street must be at least ten miles per hour over the posted speed limit;
- (3) The property owners ~~in such study area on such street segment~~ may apply to the city for funding for all costs of construction and installation. ~~in~~ **In** the alternative, the property owners may elect to engage a private contractor to construct the traffic calming devices in accordance with all requirements of the department of public works and to pay all costs of construction and installation; and
- (4) ~~That the street segment~~ **The study area must** meet the criteria contained in part 2.0 of the ITE guidelines for speed humps or the criteria ~~the~~ contained in **the** Traffic Calming Device Implementation Guidebook, except to the extent this article expressly provides for different criteria. ~~Further provided, that if~~ **If the** Institute of Transportation Engineers' or the City of Atlanta revokes or suspends ~~the their~~ guidelines, then this requirement shall not ~~be deemed need~~ to have been met for any traffic calming device installation not completed by the date of such revocation or suspension.

(ee) The commissioner of public works reserves the right to install or remove traffic calming measures outside of this traffic calming petitioning process consistent with City Code Section 138-3 which assigns authority to regulate activities in the public right-of-way to the commissioner of public works.

(df) In addition to the requirements outlined in this code section, traffic calming installation policy shall be consistent with standard operating procedures adopted by the department of public works and contained in the Public Works Right-of-Way Manual.

~~(e) Traffic calming device on a street segment shall be removed if all of the following are met:~~

- ~~(1) Seventy five percent of property owners on the street segment, via formal petition, request their removal.~~
- ~~(2) Traffic calming devices have been in place no less than one year.~~
- ~~(3) The property owners are made aware that speeds will increase.~~
- ~~(4) The property owners agree to pay all costs associated with such removal, and are assessed same under section 134-27.~~

Section 138-84, as revised above will then read as follows:

Sec. 138-84. Traffic calming devices--Installation.

(a) The following words, terms and phrases, when used in this section and in Section 138-85, shall have the meanings ascribed to them in this subsection except when the context requires otherwise:

- (1) *Traffic calming guidelines* mean the document titled "Traffic Calming Device Implementation Guidebook," prepared by City of Atlanta, May 1999 and any future revisions.
- (2) *ITE Guidelines* mean the document titled "Guidelines for the Design and Application of Speed Humps" issued by the Institute of Transportation Engineers' I.T.E. Technical Council Speed Humps Task Force in March, 1993 and subsequent revisions.
- (3) *Speed Table* means that geometric roadway design features described and defined in the ITE guidelines, which shall be no less than 22 feet in width.
- (4) *Traffic calming device* means a roadway feature such as speed tables, speed cushions, traffic circles and measures implemented to reduce vehicular speed as described in the "Traffic Calming Implementation Guidebook" and "Guidelines for the Design and Application of Speed Humps".
- (5) *Street segment* means a portion of a local residential street within the city located between any two intersecting streets.
- (6) *Study area* means one or more street segments located within the proposed traffic calming area.
- (7) *Vertical traffic calming measures* means measures which create variations in pavement height along a vehicle travel path.

(b) The department of public works shall be responsible for the administration of the traffic calming program to include conducting a traffic engineering study to determine whether all of the conditions set forth below are met.

(c) As a part of such study, the affected Neighborhood Planning Unit and the police and fire departments shall be notified and given the opportunity to comment on the propriety of installing traffic calming devices in the study area. In addition, all utility companies and other companies that have franchise agreements with the City shall be contacted to determine whether any work in the public right-of-way is planned in the study area.

(d) Petitions may be submitted to the department of public works by property owners seeking the installation of traffic calming devices. The submission of such petitions must be within two years from the date of the traffic engineering study in a form satisfactory to the city. The petitions must be signed by 75 percent of the property owners in any study area (based on parcel count), evidencing their desire to have traffic calming devices installed. The petitioners must accept the signage and markings appurtenant thereto, and acknowledge that installing the traffic calming devices could slow the response time of fire and police department vehicles and ambulances by several seconds per traffic calming device. If all conditions are met, the city may construct and install traffic calming devices in such study area. The conditions, which must be met, are as follows:

- (1) The study area must be a residential street functionally classified as local or collector street except that streets classified as collector and arterial streets shall not qualify for vertical traffic calming measures;
- (2) The 85th percentile speed of traffic on such street must be at least ten miles per hour over the posted speed limit;
- (3) The property owners in such study area may apply to the city for funding for all costs of construction and installation. In the alternative, the property owners may elect to engage a private contractor to construct the traffic calming devices in accordance with all requirements of the department of public works and to pay all costs of construction and installation; and
- (4) The study area must meet the criteria contained in part 2.0 of the ITE guidelines for speed humps or the criteria contained in the Traffic Calming Device Implementation Guidebook, except to the extent this article expressly provides for different criteria. If the Institute of Transportation Engineers' or the City of Atlanta revokes or suspends their guidelines, then this requirement shall not need to have been met for any traffic calming device installation not completed by the date of such revocation or suspension.

(e) The commissioner of public works reserves the right to install or remove traffic calming measures outside of this traffic calming petitioning process consistent with City Code Section 138-3 which assigns authority to regulate activities in the public right-of-way to the commissioner of public works.

(f) In addition to the requirements outlined in this code section, traffic calming installation policy shall be consistent with standard operating procedures adopted by the department of public works and contained in the Public Works Right-of-Way Manual.

SECTION 2: Section 138-85 of the City of Atlanta Code of Ordinances is amended, as set out below in bold and strikethrough text, to revise said section as follows:

Sec. 138-85. Traffic Calming Devices ~~Same~~ --Removal.

Speed ~~humps-tables~~ on a street segment ~~shall~~ **may** be removed if all of the following **conditions** are met:

- (1) Seventy-five percent of property owners ~~within on~~ the street segment **where the traffic calming devices are installed must**, via formal petition, request their removal.
- (2) The speed **traffic calming devices** ~~humps~~ have been in place no less than one year.
- (3) The property owners are made aware that speeds will increase **upon removal of the traffic calming devices.**
- (4) The property owners agree to pay all costs associated with such removal, ~~and are assessed same under section 134-27.~~
- (5) **The department of public works agrees that removal of the traffic calming devices will not negatively affect public safety.**

Section 138-85, as revised above will then read as follows:

Sec. 138-85. Traffic Calming Devices -- Removal.

Speed tables on a street segment may be removed if all of the following conditions are met:

- (1) Seventy-five percent of property owners within the street segment where the traffic calming devices are installed must, via formal petition, request their removal.
- (2) The speed traffic calming devices have been in place no less than one year.

- (3) The property owners are made aware that speeds will increase upon removal of the traffic calming devices.
- (4) The property owners agree to pay all costs associated with such removal.
- (5) The department of public works agrees that removal of the traffic calming devices will not negatively affect public safety.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

**A true copy,
Municipal Clerk**

**ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403**

**May 21, 2012
May 30, 2012**