

ORDINANCE NO. 7151

AN ORDINANCE TO AMEND THE AUGUSTA, GA CODE TITLE ONE TO ADD SECTION 1-9-6 RELATING TO THE ISSUANCE OF A SPECIAL USE PERMIT FOR BUSINESSES ADJACENT TO THE SAVANNAH RIVER ESPLANADE (RIVER WALK) TO ALLOW LIMITED ACCESS BY MOTORIZED CART FOR DELIVERY AND RETRIEVAL OF MATERIALS RELATING TO THAT BUSINESS; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the AUGUSTA, GA CODE does not currently contain a provision to allow the use of motorized carts along the Savannah River Esplanade:

WHEREAS, it is the desire of the Commission to modify restrictions regarding the use of certain motorized vehicles along the Esplanade to allow limited access for delivery purposes;

**THE AUGUSTA-RICHMOND COUNTY COMMISSION**, ordains as follows:

**SECTION 1.** AUGUSTA, GA. CODE Section 1-9-6 is reserved as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007. The Augusta Code is hereby amended by new Code Section known as 1-9-6 as set forth in "Exhibit A" hereto.

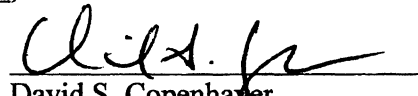
**SECTION 2.** Section 1-9-7 thru 1-9-15 of the AUGUSTA, GA CODE shall remain reserved.

**SECTION 3.** This ordinance shall become effective upon its adoption in accordance with applicable laws.

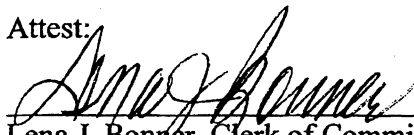
**SECTION 4.** All ordinances or parts of ordinances and Department of License and Inspections Policies and Procedures in conflict herewith are hereby repealed.

Adopted this 20 day of OCT, 2009.

1ST READING Oct 6, 2009

  
David S. Copenhaver  
As its Mayor

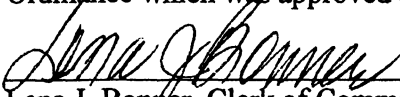
Attest:

  
Lena J. Bonner, Clerk of Commission

Seal:

## CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta-Richmond County Commission on \_\_\_\_\_, 2009 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

  
Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: November 5, 2009

First Reading 10-06-09

Second Reading 10-20-09

## **Exhibit A**

### **§1-9-6 LIMITED MOTORIZED CART ACCESS TO THE SAVANNAH RIVER ESPLANADE (RIVER WALK).**

This section establishes a special use permit which authorizes local businesses limited motorized cart access along the Savannah River Esplanade (River Walk) as part of business operations, for delivery and retrieval of materials relating to that business. Such use is subject to the following guidelines:

- (a) It shall be unlawful for any person to operate a motorized cart upon the Savannah River Esplanade (River Walk) or to knowingly participate in any such activity unless and until a permit to access such area has been obtained from the License and Inspection Department of Augusta-Richmond County.
- (b) This use permit allows businesses adjacent to the Savannah River Esplanade to use motorized carts to accept deliver or retrieve displays, exhibits, supplies and/or merchandise relating to that business. Permit holders may load or unload materials as needed, however, all motorized carts must be removed from the Esplanade immediately after they have finished loading or unloading materials.
- (c) "Motorized cart" means every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less.
- (d) Permit holder shall be responsible for ensuring that the bollards i.e. metal posts at all access points, removed to gain ingress and egress to the Esplanade, are properly re-seated to their original position and secured in place when loading or unloading materials is complete. Permit holders shall ensure that bollard post holes are covered at all times when accessing the Esplanade to deliver or retrieve materials.
- (e) No motorized carts shall operate on the Savannah River Esplanade except between the hours of thirty (30) minutes following sunrise and thirty (30) minutes prior to sunset, except as otherwise provided in AUGUSTA, GA CODE Section 3-5-86.
- (f) All motorized carts shall be equipped with headlights, brake lights, a yellow caution light mounted on top of such motorized cart, and a caution sign.
- (g) No motorized cart shall be operated at a speed greater than 5 miles per hour while on the Savannah River Esplanade (River Walk).
- (h) All businesses adjacent to the Savannah River Esplanade seeking to access the area using motorized carts shall be registered with the License & Inspection Department of Augusta-Richmond County for an annual fee of One Hundred Dollars (\$100.00).
- (i) All permits granted hereunder are privilege licenses and shall expire of December 31<sup>st</sup> of each year. Permit holders who desire to renew their permits shall file an application therefore, together with the requisite fee with the License and Inspection Department for such renewal upon forms approved by the Director of License and Inspection, on or before December 1<sup>st</sup> of each year.

- (j) All permits to be renewed for the subsequent calendar year shall be submitted by the License and Inspection Director to Commission for approval no later than December 15 of each year. Any permit that has been placed on probation, suspension or have been revoked by the Commission during the year shall be submitted on a separate list by the License and Inspection Department for review and consideration for approval.
- (k) No permit shall be grandfathered as to any provision of this section.

**§ 1-9-7 - 1-9-15. Reserved.**