

ORDINANCE NO. 7372

**AN ORDINANCE TO AMEND, UPDATE, AND MAKE CERTAIN CORRECTIONS TO THE AUGUSTA, GEORGIA CODE, TITLE SEVEN CHAPTER THREE ARTICLE TWO SECTION 7-3-8 THROUGH 7-3-10; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.**

**WHEREAS**, Several of the conditions relating to the construction and maintenance of streets, sidewalks, curbs, speed humps, storm water systems and sewer systems were inadvertently left out of subsequent amendments to these sections of the Code; and

**WHEREAS**, the Augusta, Georgia Commission strives to ensure accuracy in the Code and continues to promote safe driving habits to protect the public health, safety, and welfare of Augusta, Georgia citizens; and

**WHEREAS**, 1997 Ga. Laws p. 4024 designates the name of the consolidated governments as "Augusta, Georgia"; and

**WHEREAS**, Augusta, Georgia seeks to update the Code to reflect the name of the consolidated government.

**THE AUGUSTA, GEORGIA COMMISSION**, ordains as follows:

**SECTION 1.** AUGUSTA, GA. CODE Sections 7-3-8 through 7-3-10 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking said sections in their entirety as set forth in "Exhibit A" hereto,

**SECTION 2.** Amendments to AUGUSTA, GA. CODE Section 7-3-8 as set forth in Ordinance No. 7056, enacted June 17, 2008, are hereby deleted in their entirety, as set forth in "Exhibit B" hereto,

**SECTION 3.** Amendments to AUGUSTA, GA. CODE Section 7-3-8 through 7-3-10 as set forth in Ordinance No. 7097 enacted November 18, 2008, are hereby deleted in their entirety, as set forth in "Exhibit C" hereto,

**SECTION 4.** In lieu of the above stricken AUGUSTA, GA. CODE Sections 7-3-8 through 7-3-10, the Code is hereby amended by inserting new Code Sections 7-3-8 through 7-3-10, as set forth in "Exhibit D" hereto.

**SECTION 5.** This ordinance shall become effective upon its adoption in accordance with applicable laws.

**SECTION 6.** All ordinances or parts of ordinances and Department of Engineering Policies and Procedures in conflict herewith are hereby repealed.

Adopted this 5th day of December, 2012.

1<sup>st</sup> reading November 20, 2012

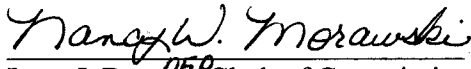
2<sup>nd</sup> reading December 5, 2012

AGM  
12/5/12



David S. Copenhaver  
As its Mayor

Attest:



~~Lena J. Bonter~~<sup>PEP</sup> Clerk of Commission  
NANCY W. MORAWSKI

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 Dec 5, 2012 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).

*Nancy W. Morawski*

~~Lena J. Bonner~~<sup>DEA</sup>, Clerk of Commission  
NANCY W. MORAWSKI

Published in the Augusta Chronicle.

Date: December 13, 2012

## Exhibit A

### Striking:

#### **~~Sec. 7-3-8. Conditions.~~**

~~The construction or maintenance of any streets, roads, sidewalks, curbs, speed humps, storm water systems and sewer systems in Augusta Richmond County may be done by Augusta Richmond County upon approval of the Augusta Richmond County Commission when seventy-five (75) percent of the owners of the property abutting such improvements shall consent thereto and agree to be assessed for the cost thereof on a pro rata basis as provided for herein.~~

- ~~(a) The Traffic Engineering Division will process the speed hump policy, and will conduct the necessary studies to determine whether a street is eligible for street humps.~~

#### **~~Sec. 7-3-9. Required development.~~**

~~No construction or improvement of any streets, roads, sidewalks, speed humps or curbs in Augusta Richmond County may be done by Augusta Richmond County unless the property adjacent to the street, road, sidewalk or curb is eighty (80) percent developed. The required development herein shall be determined by the following formula: The front footage of all lots or parcels adjacent to the street, road, curb or sidewalk being installed or improved shall be totaled and the total front footage of all lots or parcels shall be divided into the total front footage of all lots or parcels with improvements thereon to arrive at the percentage of development.~~

#### **~~Sec. 7-3-10. Assessment of cost.~~**

~~The Augusta Richmond County Commission assess the entire cost of such improvements, or any portion thereof, as determined by the Commission, against such abutting property owners; however, no assessment shall be made against the abutting property owners unless the same is consented to in writing by the owners of seventy five (75) percent of the property abutting such improvements.~~

## Exhibit B

### Striking:

#### **Section 7-3-8. Conditions**

- ~~(a) The Augusta Richmond County Commission desires to protect the health, safety and welfare of its citizens by ensuring the emergency vehicles have access to private roads and streets in the safest possible manner, and that, the County be reimbursed for costs of such maintenance services, and provide other assurances:~~
- ~~(b) The provisions of this article shall apply to incorporated areas within Augusta Richmond County under the jurisdiction of the Board of Commissioners.~~
- ~~(c) The Public Services Department Engineering Maintenance is responsible for the administration of the program and will enter into a release with the owner(s) of the property regarding ingress and egress to the property and the costs and/or expenses associated with making the improvements.~~

## Exhibit C

### Striking:

#### **~~Section 7-3-8. Conditions~~**

~~The construction or maintenance of any streets, roads, sidewalks, curbs, speed humps, storm water systems and sewer systems in Augusta Richmond County may be done by Augusta Richmond County upon approval of the Augusta Richmond County Commission when seventy-five (75) percent of the owners of the property abutting such improvements shall consent thereto and agree to be assessed for the cost thereof on a pro rata basis as provided for herein.~~

- ~~(a) The Traffic Engineering Division will process the speed hump policy, and will conduct the necessary studies to determine whether a street is eligible for street humps~~

#### **~~Section 7-3-9. Required development.~~**

~~No construction or improvement of any streets, roads, sidewalks, speed humps or curbs in Augusta Richmond County may be done by Augusta Richmond County unless the property adjacent to the street, road, sidewalk or curb is eighty(80) percent developed. The required development herein shall be determined by the following formula: The front footage of all lots or parcels adjacent to the street, curb or sidewalk being installed or improved shall be totaled, and the total front footage of all lots or parcels shall be divided into the total front footage of all lots or parcels with improvements thereon to arrive at the percentage of development.~~

#### **~~Section 7-3-10. Assessment of cost.~~**

~~The Augusta Richmond County Commission assess the entire cost of such improvements, or any portion thereof, as determined by the Commission, against such abutting property owners; however, no assessment shall be made against the abutting property owners unless the same is consented to in writing by the owners of seventy-five (75) percent of the property abutting such improvements.~~

## Exhibit D

Replace With:

### Section 7-3-8. Conditions

- (a) The Augusta, Georgia Commission desires to protect the health, safety and welfare of its citizens by ensuring the emergency vehicles have access to private roads and streets in the safest possible manner, and that, the County be reimbursed for costs of such maintenance services, and provide other assurances:
- (b) The provisions of the article shall apply to incorporated areas within Augusta, Georgia under the jurisdiction of the Board of Commissioners.
- (c) The Augusta Engineering Department is responsible for the administration of the program and will enter into a release with the owner(s) of the property regarding ingress and egress to the property and the costs and/or expenses associated with making the improvements.

### Section 7-3-9. Required development.

- (a) No construction or improvement of any streets, roads, sidewalks, speed humps or curbs in Augusta, Georgia may be done by Augusta, Georgia unless the property adjacent to the street, road, sidewalk or curb is eighty(80) percent developed. The required development herein shall be determined by the following formula: The front footage of all lots or parcels adjacent to the street, curb or sidewalk being installed or improved shall be totaled, and the total front footage of all lots or parcels shall be divided into the total front footage of all lots or parcels with improvements thereon to arrive at the percentage of development.
- (b) The Traffic Engineering Division will process the speed hump policy and will conduct the necessary studies to determine whether a street is eligible for street humps.

### Section 7-3-10. Assessment of cost.

The Augusta, Georgia Commission assess the entire cost of such improvements, or any portion thereof, as determined by the Commission, against such abutting property owners; however, no assessment shall be made against the abutting property owners unless the same is consented to in writing by the owners of seventy-five (75) percent of the property abutting such improvements.