

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF JOHNS CREEK, GEORGIA IN ORDER TO REVISE CHAPTER 46, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY REMOVING REQUIREMENTS FOR STREET AND SIDEWALK CONSTRUCTION AND SIDEWALK REPAIR, BY ADDING REQUIREMENTS FOR STREET LIGHT PETITIONS IN THE CITY OF JOHNS CREEK, AND FOR OTHER PURPOSES

WHEREAS, it is desirable to have adequate and consistent requirements for streets and sidewalks; and

WHEREAS, in order to prevent conflicting requirements within the Code of the City of Johns Creek, Georgia it is necessary to revise Chapter 46, Streets, Sidewalks and Other Public Places, of the Code of the City of Johns Creek, Georgia; and

WHEREAS, it is necessary for the promotion of the health, welfare, and safety of the citizens of Johns Creek to consolidate the City Code to provide one set of standards for the requirements of streets, sidewalks and street light installations within the City.

NOW, THEREFORE, the Council of the City of Johns Creek hereby ordains that Chapter 46, Streets, Sidewalks and Other Public Places, of the Code of the City of Johns Creek, Georgia is amended as follows:

Section 1: The Table of Contents of Chapter 46 is hereby revised as follows:

Chapter 46: Streets, Sidewalks and Other Public Places

Article I. In General

- Sec. 46-1. Penalty.
- Sec. 46-2. Obstruction of right-of-way.
- Secs. 46-3--46-20. Reserved.

Article II. Installation, Repairs and Maintenance

- Sec. 46-21. Penalty.
- Sec. 46-22. Authority.
- Sec. 46-23. Permit.
- Sec. 46-24. Procedure.
- Sec. 46-25. Road signage and warnings.
- Sec. 46-26. Repair after excavation.
- Sec. 46-27. Road Installations.
- Sec. 46-28. Sidewalk installations.
- Sec. 46-29. Existing sidewalks.
- Sec. 46-30. Street Light Petitions.
- Secs. 46-31—46-48. Reserved.

Article III. Street Numbers

- Sec. 46-49. Penalty.

Sec. 46-50. Assignment.
Sec. 46-51. Application.
Sec. 46-52. Record log.
Sec. 46-53. Visibility.
Secs. 46-54--46-72. Reserved.

Article IV. Assemblages in Public Places

Division 1. Generally
Sec. 46-73. Penalty.
Sec. 46-74. Definitions.
Secs. 46-75--46-93. Reserved.

Division 2. Permit
Sec. 46-94. Required; exception.
Sec. 46-95. Application.
Sec. 46-96. Duties of city manager.
Sec. 46-97. Application review procedure.

Section 2: Section 46-27 of Chapter 46 is hereby revised as follows:

Sec. 46-27. Road Installations

The Director of Public Works or his designee shall approve the design for any new roads within the city. Approval shall be given upon a showing that the roads comply with all applicable city standards.

(Ord. No. O2006-12-29, ch. 16, art. 1, § 6, 12-19-2006; Ord. No. 2007-11-33, ch. 16, art. 1, § 6, 11-26-2007)

Section 3: Section 46-28 of Chapter 46 is hereby revised as follows:

Sec. 46-28. Sidewalk installations

The Director of Public Works or his designee shall approve the design for any new sidewalks within the right-of-way in the city. Approval shall be given upon a showing that the sidewalks comply with all applicable city standards.

(Ord. No. O2006-12-29, ch. 16, art. 1, § 7, 12-19-2006; Ord. No. 2007-08-17, §§ 1, 2, 8-27-2007; Ord. No. 2007-11-33, ch. 16, art. 1, § 7, 11-26-2007)

Section 4: Section 46-29 of Chapter 46 is hereby revised as follows:

Sec. 46-29. Existing sidewalks.

(a) The property owner shall be required to maintain the sidewalk along the entire lot frontage by maintaining the grass or landscaping installed between the sidewalk and the edge or curb of the roadway. This section **also** applies to newly created sidewalks.

(b) No person shall be permitted to erect any drain, gutter, downspout, valley, flat, or sloping roof of any character that will in any manner drain or shed water on any city sidewalk.

(Ord. No. O2006-12-29, ch. 16, art. 1, § 8, 12-19-2006; Ord. No. 2007-11-33, ch. 16, art. 1, § 8, 11-26-2007)

Section 5: Section 46-30 of Chapter 46 is hereby added as follows:

Sec. 46-30. Street Light Petitions.

When street lighting is requested by existing residents, these residents shall:

(1) Submit a petition to the City of Johns Creek Department of Public Works from the residents affected showing a 90 percent support for the request. The affected residents shall be all residents whose properties are located, in whole or in part, within 150 feet of a proposed street light.

(2) The request to the City for street lights shall include a sketch indicating the individual location of lights within the subdivision, along with the residential location of each signatory to the petition.

(3) If standards/poles within the subdivision for the placement of these lights do not exist, or do not meet utility company requirements, it shall be the petitioner's responsibility to have these standards/poles placed prior to installation of the street lights, at their cost. Installation of poles within the City's right-of-way shall be subject to the approval of the Public Works Director. The street light fixtures are to be installed at the expense of the petitioners.

(Ord. No. 12-10-2006, ch. 19 § 8.8)

Section 6: All other Sections of Chapter 46 which are not expressly revised herein and do not conflict with the revisions provided for herein shall not be altered by this Ordinance.

SO ORDAINED, and effective this 29th day of June, 2009.

Approved:

Michael E. Bodker, Mayor

ATTEST:

Approved as to Form and Content:

Joan Jones, City Clerk

William F. Riley, City Attorney

(Seal)