

Atlanta, Georgia, Code of Ordinances >> PART II - CODE OF ORDINANCES—GENERAL ORDINANCES >> Chapter 138 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES >> ARTICLE IV. - IMPROVEMENTS WITHIN THE RIGHT-OF-WAY >> DIVISION 2. - STREETS >>

DIVISION 2. - STREETS

[Sec. 138-81. - Notice to contractor and public utilities of paving.](#)

[Sec. 138-82. - Closing of streets during paving operations.](#)

[Sec. 138-83. - Closing of streets during construction of bridges, viaducts and similar structures.](#)

[Sec. 138-84. - Traffic calming devices—Installation.](#)

[Sec. 138-85. - Same—Removal.](#)

[Secs. 138-86—138-95. - Reserved.](#)

Sec. 138-81. - Notice to contractor and public utilities of paving.

- (a) *Definition.* As used in this section, the term "public utility" includes power, gas, light, telephone, CATV and telegraph corporations and such others as may operate like public services and also includes the department of water.
- (b) *Notice to contractor that street is ready for paving.* The commissioner of public works shall notify the contractor to whom a street paving contract has been awarded that the street is ready for paving under the contract. After the notice has been given the contractor, it shall be unlawful for any person to make any opening of any kind in the street, without the written joint consent of the contractor and the commissioner of public works.
- (c) *Notice to public utilities.* At least 60 days prior to commencing of paving, the commissioner of public works shall notify public utilities and all other persons that have a 24-month plan on file as of the date that the street will be paved, and if any public utility so notified is unable to complete any of its work in the street within 30 days from this notice, the commissioner of public works shall be notified in writing by the public utility, whereupon the commissioner may, at the commissioner's discretion, delay the sending of the notice to commence paving.

(Code 1977, § 9-3057; Ord. No. 2001-22, § 1, 3-14-01)

Sec. 138-82. - Closing of streets during paving operations.

- (a) *Authority, duties of commissioner.* For paving or repaving a street, construction of a bridge or any other work, the commissioner of public works shall be authorized to close the street or part of the street from the time the work is started until, in the commissioner's judgment, the street is suitable for ordinary traffic thereon. If there is any dispute as to the time when the pavement is sufficiently set or hardened or otherwise has become fit for travel, the decision of the commissioner of public works shall be final. The commissioner of public works shall see that this section is enforced, both as to the erection of barriers or enclosures and as to travel on the street by vehicles or otherwise during the time prohibited. The commissioner of public works shall notify the police chief, fire chief, Grady Memorial Hospital, the Metropolitan Atlanta Rapid Transit Authority and persons named by the mayor or the mayor's designee of the date and time street will be closed.
- (b) *Violation.* Any person interfering with the street closing or undertaking to operate a vehicle or otherwise travel upon a street closed by authority of the commissioner of public works before the enclosures have been removed therefrom and the street opened for travel shall be deemed guilty of an offense and shall be punished as provided in the penalty section of this chapter.

(Ord. No. 2001-22, § 1, 3-14-01)

Sec. 138-83. - Closing of streets during construction of bridges, viaducts and similar structures.

Whenever the city, a public utility or a railroad undertakes work such as the construction of bridges, viaducts or the like, which necessitates the use of a roadway for the erection of such public work, all streets and

sidewalks affected by these works shall be closed. The commissioner of public works shall have power to keep any portions of those streets and sidewalks open temporarily where necessary to ensure public safety, but any permits to allow any portions of those streets or sidewalks to be kept open temporarily shall be subject to be revoked at any time in the discretion of the commissioner of public works.

(Code 1977, § 9-3059; Ord. No. 2001-22, § 1, 3-14-01)

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

- (a) The following words, terms and phrases, when used in this section, 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 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 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.
- (b) When presented with petitions in form satisfactory to the city signed by 75 percent of the property owners on any street segment (based on front footage), evidencing their desire to have such traffic calming device, to accept the signage and markings appurtenant thereto, and acknowledging that installing the traffic calming device could slow the response time of the fire department 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 construct and install traffic calming devices on such street segment. The conditions, which must be met, are as follows:
- (1) The street segment must be a residential street functionally classified as local or collector except that a collector street shall not qualify for 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 on such street segment 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) That the street segment meet the criteria contained in part 2.0 of the ITE guidelines for speed humps or the criteria the contained in Traffic Calming Device Implementation Guidebook, except to the extent this article expressly provides for different criteria. Further provided, that if Institute of Transportation Engineers' or the City of Atlanta revokes or suspends the guidelines, then this requirement shall not be deemed to have been met for any traffic calming device installation not completed by the date of such revocation or suspension.
- (c) 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.

(Ord. No. 1995-03, § 9-3061, 2-14-95; Ord. No. 1997-46, §§ 1, 2, 8-25-97; Ord. No. 2001-22, § 1, 3-14-01; Ord. No. 2003-15, § 1, 3-11-03)

Sec. 138-85. - Same—Removal.

Speed humps 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) The speed humps 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.

(Ord. No. 1995-3, § 9-3062, 2-14-95; Ord. No. 2001-22, § 1, 3-14-01)

| [Secs. 138-86—138-95.](#) - Reserved.