

Proposed Ordinance: #0-6-16
Subject Matter: Traffic and Vehicles – Blocking Intersections
Date First Presented at Council Public Meeting: 3-17-16
Date of Public Hearing Before City Council: 3-17-16
Date of Second Reading and Adoption: 4-7-16

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-6-16
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

AN ORDINANCE OF THE CITY OF FAYETTEVILLE

WHEREAS, the City of Fayetteville (the “City”) has determined that to serve the needs of the community certain revisions to the City Code of Ordinances are needed; and

WHEREAS, Section 1.04(k) of the City Charter grants the City Council the power to define, regulate and prohibit any act, practice, conduct or use of property which is detrimental, or likely to be detrimental, to the health, morals, safety, security, peace, convenience or general welfare of inhabitants of the City; and

WHEREAS, based on the recommendations of City staff, the Mayor and City Council find that the act of blocking an intersection creates an impediment to the natural flow of vehicular traffic and presents confusion and safety issues for the drivers of vehicles making turns to enter or exit certain roadways, alleys and driveways.

WHEREAS, the Mayor and City Council therefore find that it is in the best interest of the health, safety, of the motorist in the community to prevent or reduce the adverse impact of impeding vehicles from entering or exiting roadways, alleys, and driveways, prohibit the blocking of intersections of certain roadways, alleyways, and driveways, where such intersections are properly marked and signage has been erected.

WHEREAS, the City does hereby ordain the following amendments to its Traffic and Vehicles Ordinance.

WHEREFORE THE CITY OF FAYETTEVILLE HEREBY ADOPTS AND ORDAINS THE FOLLOWING ORDINANCE:

ARTICLE ONE

The City of Fayetteville Ordinance as codified at Chapter 82, Article 3 of the City's Code of Ordinances is hereby amended by adding a New Section 82-79:

Sec. 82-79. - Blocking driveway intersection.

(a) Definition. *The following definition shall apply in the interpretation and enforcement of this Section, unless otherwise specifically stated:*

Intersection – is the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways, alleyways, or driveways which join one another or the area within which vehicles traveling upon different roadways, alleyways, or driveways, joining at any angle may come into conflict.

(b) Procedure to Designate. *The city council may by ordinance or resolution designate intersections in the city for the erection and enforcement of “DO NOT BLOCK INTERSECTION” signs, or other similarly worded signs sufficient to meet the purposes of this section.*

The City council may require the property owner requesting a Do Not Block Intersection designation to provide a traffic study of the specific intersection to determine the circumstances for the request and the volume of weekday traffic affected by an adjacent traffic queued intersection.

When an intersection is designated, the city shall cause signs to be erected at each of the points in the intersection where vehicular traffic enters into the intersection. These signs shall carry the wording “DO NOT BLOCK INTERSECTION” or some other similar wording. No person shall be in violation of this section unless the intersection is so designated and marked.

(c) Violation. *It is unlawful for any vehicle to stop, stand or park at any time within any intersection which has been designated and marked with a “DO NOT BLOCK INTERSECTION” sign or similarly worded sign, except in compliance with the orders of a police officer or other authorized officer. No driver of a vehicle shall enter such a marked intersection if traffic conditions will not permit his or her vehicle to pass through the intersection completely, so as not to block vehicular traffic entering into the intersection from any other direction.*

(d) Penalty for Violator. *Upon conviction of a violation as described above at (c), the violator may be fined up to One Hundred Dollars (\$100.00) per violation.*

ARTICLE TWO

This Ordinance shall become immediately effective upon its second reading and adoption by the City Council.

ARTICLE THREE

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.

ARTICLE FOUR

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

ARTICLE FIVE

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE at a regular meeting of the Mayor and Council on the 7th day of April, 2016 by the following voting for adoption:

ATTEST:

Edward J. Johnson, Jr. Mayor

Scott Stacy, Mayor Pro Tem

Anne Barksdale, City Clerk

Kathleen Brewer, Council Member

Paul C. Oddo, Jr., Council Member

Harlan Shirley, Council Member

James B. Williams, Council Member