SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** October 21, 2011

FROM: John McDonough, City Manager

AGENDA ITEM: An Ordinance to Amend Section 58-32, Restrictive vehicles required to use truck routes; exceptions, of the Code of the City of Sandy Springs

MEETING DATE: For Submission onto the November 1, 2011, City Council Work Session Meeting Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Mark-up of Ordinance

APPROVAL BY CITY MANAGER: JJM *APPROVED*

_____ *NOT APPROVED*

PLACED ON AGENDA FOR: 11/1/11

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: _____

REMARKS:

SANDY SPRINGS
GEORGIA

To: John McDonough, City Manager

From: Ed Shoucair, Acting Director of Community Development

Date: October 25, 2011 for Submission onto the November 1, 2011 City Council Work Session

Subject: TA11-005, An Ordinance to Amend Section58-32, Restrictive vehicles required to use truck routes; exceptions, of the Code of the City of Sandy Springs

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Please find enclosed a proposed text amendment to Section58-32, Restrictive vehicles required to use truck routes; exceptions, with corresponding mark-up.

Background:
The existing ordinance related to trucks making deliveries on non-truck route roadways only permits such deliveries between the hours of 7 p.m. and 7 a.m. (overnight hours).

Discussion:
Staff finds that the intent of this ordinance was to restrict truck deliveries within neighborhoods to daytime hours.

Department of Community Development Recommendation:
APPROVAL of the ordinance to amend Section58-32, Restrictive vehicles required to use truck routes; exceptions.

Alternatives:
The City Council could choose not to adopt the changes recommended by staff.

cc: Wendell Willard, City Attorney
Cecil McLendon, Assistant City Attorney

MARK-UP FOR SECTION 58-32 PER TA11-005

Sec. 58-32. - Restrictive vehicles required to use truck routes; exceptions.

All trucks are prohibited from using roadways within the city limits, except those roadways authorized by this article as truck routes, including any amendments hereof, or as may be further designated by the governing authority as truck routes, with the following exceptions:

(1) If the terminal, parking lot, repair garage, or headquarters of the restricted motor vehicle is not a designated truck route, ingress to and egress from those places shall be made by the most direct route available between the terminal, parking lot, repair garage or headquarters and nearest designated truck route.

(2) If a delivery or pickup is to be made at a location which is not on a designated truck route; ingress to and egress from that location shall be made by the most direct route available between that location and the nearest designated truck route.

(3) If a delivery or pickup is to be made by a truck, road tractor, combination road tractor-trailer within any area that is not on a designated truck route; such delivery or pickup shall not be made between the hours of 7:00 ~~a.m.~~p.m. and 7:00 ~~p.m.~~a.m.

(Ord. No. 2005-12-10, § 1(ch. 13, art. 2, § 4), 12-1-2005)

ORDINANCE NO. _____

TA11-005

Reading: November 15, 2011

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND SECTION 58-32, RESTRICTIVE VEHICLES REQUIRED TO USE TRUCK ROUTES; EXCEPTIONS, OF THE CODE OF THE CITY OF SANDY SPRINGS

WHEREAS, the Mayor and City Council of the City of Sandy Springs find that from time to time it is necessary to amend sections of the Code to correct, clarify, and update the provisions of the Ordinance; and

WHEREAS, the existing ordinance related to trucks making deliveries on non-truck route roadways only permits such deliveries between the hours of 7 p.m. and 7 a.m. (overnight hours); and

WHEREAS, it has been determined that the actual intent of this ordinance was to restrict truck deliveries on non-truck route roadways to daytime hours; and

WHEREAS, large trucks making deliveries within neighborhoods are more disruptive to residents during overnight hours than during daytime hours; and

WHEREAS, the Mayor and City Council of the City of Sandy Springs find that this ordinance be should be amended to permit delivery hours between 7 a.m. and 7 p.m. rather than during the overnight hours.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Section 58-32, *Restrictive vehicles required to use truck routes; exceptions,* of the Code of the City of Sandy Springs is hereby amended by the deletion in its entirety and the following inserted therefor:

Sec. 58-32. - Restrictive vehicles required to use truck routes; exceptions.

All trucks are prohibited from using roadways within the city limits, except those roadways authorized by this article as truck routes, including any amendments hereof, or as may be further designated by the governing authority as truck routes, with the following exceptions:

(1) If the terminal, parking lot, repair garage, or headquarters of the restricted motor vehicle is not a designated truck route, ingress to and egress from those places shall be made by the most direct route available between the terminal, parking lot, repair garage or headquarters and nearest designated truck route.

(2) If a delivery or pickup is to be made at a location which is not on a designated truck route; ingress to and egress from that location shall be made by the most direct route available between that location and the nearest designated truck route.

(3) If a delivery or pickup is to be made by a truck, road tractor, combination road tractor-trailer within any area that is not on a designated truck route; such delivery or pickup shall not be made between the hours of 7:00 p.m. and 7:00 a.m.

(Ord. No. 2005-12-10, § 1(ch. 13, art. 2, § 4), 12-1-2005)

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

This Ordinance is effective November 15, 2011; and

ORDAINED this the 15th day of November, 2011.

Approved:

_____
Eva Galambos, Mayor

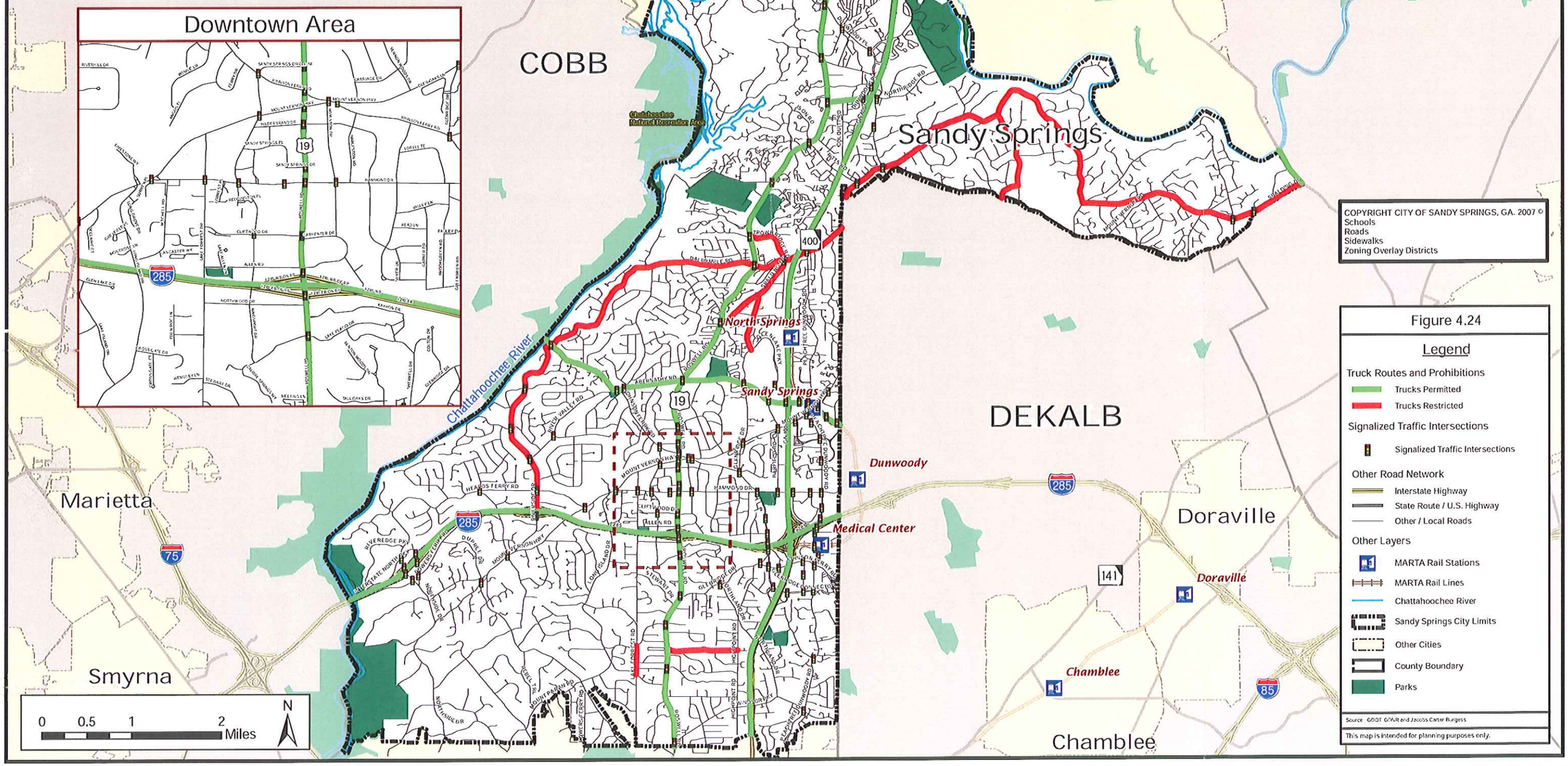
Attest:

_____
Michael Casey, City Clerk
(Seal)

SANDY SPRINGS GEORGIA

Sandy Springs Transportation Master Plan

Truck Routes and Prohibitions



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Schools
Roads
Sidewalks
Zoning Overlay Districts

Figure 4.24

Legend

Truck Routes and Prohibitions
- Trucks Permitted
- Trucks Restricted

Signalized Traffic Intersections
- Signalized Traffic Intersections

Other Road Network
- Interstate Highway
- State Route / U.S. Highway
- Other / Local Roads

Other Layers
- MARTA Rail Stations
- MARTA Rail Lines
- Chattahoochee River
- Sandy Springs City Limits
- Other Cities
- County Boundary
- Parks

Source GDOT GNAR and Jacobs Carter Burgess

This map is intended for planning purposes only.

JACOBS Carter Burgess