

MEMORANDUM

To: Mayor and Council
From: Richard McLeod, Director of Community Development
Date: July 13, 2020
Subject: Text Amendment
Chapter 30—Traffic and Vehicles

ITEM DESCRIPTION

This item is a request to consider a text amendments to the *Chapter 30-Traffic and Vehicles*. The proposed revisions are attached to this memo.

DISCUSSION

The Mayor and City Council members have received numerous request to allow bicycles to utilize sidewalks within the City. Pursuant to O.C.G.A 40-6-144, local governments have the option to allow bicycles on sidewalks by an approved resolution or ordinance. Staff has been directed to draft a text amendment to allow bicycles on sidewalks with regards to pedestrian safety.

RECOMMENDATION

30-5. - Skateboards and bicycles.

- (a) All users of bicycles, regardless of age shall be allowed to utilize sidewalks within the city limits of the City of Dunwoody with the precautions outlined in this section, pursuant to O.C.G.A 40-6-144. For purposes of this section, a protected bicycle facility is defined as a facility that is separated from motor vehicle traffic by a physical barrier such as a raised median, curb or landscaped buffer.
- (b) No person shall ride a bicycle or propel roller skates, skateboards, or other similar devices upon a public street, highway, or sidewalk in a manner which would constitute an unreasonable danger to the public or which would disrupt the public's ordinary and customary use of such street, highway or sidewalk.
- (c) No person shall ride a bicycle or propel roller skates, skateboards, or other similar devices on sidewalks which are properly designated for pedestrians only. The chief of police and the department of public works, after approval of the public works director, are authorized to erect or have erected signs on any sidewalk or roadway prohibiting the riding of bicycles or propelling of roller skates, skateboards, or other similar devices. When such signs are in place, no person shall disobey the signs.
- (d) Whenever any person is riding a bicycle or skating upon a sidewalk, that person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian. Vehicular traffic must yield to pedestrians and any person riding a bicycle or skating upon a sidewalk.
- (e) Any person violating any provision of this section is guilty of a violation of this Code; provided, however, that any offender under the age of 17 years shall be treated as provided by O.C.G.A. § 15-11-1 et seq. The parent of any child and the guardian of the person of any ward shall not authorize or knowingly permit that child or ward to violate any provision of this section.

(Comp. Ords. 2008, ch. 17, art. 1, § 5)

Staff recommends **APPROVAL.**

**AN ORDINANCE AMENDING CHAPTER 30 OF THE CITY OF DUNWOODY
CODE OF ORDINANCES SECTION 30-5 – SKATEBOARDS AND BICYCLES**

WHEREAS, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City; and

WHEREAS, the State of Georgia allows local governments to authorize the operation of bicycles on sidewalks by persons 12 years and older, pursuant to O.C.G.A 40-6-144; and

WHEREAS, the City of Dunwoody recognizes bicycling as a viable and convenient means of transportation and access to and within the City; and

WHEREAS, the Mayor and City Council have determined that it may be appropriate to amend Chapter 30, to clarify certain regulations and requirements inherent in determinations of who is authorized to operate bicycles on sidewalks.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby **ORDAIN as follows:**

Chapter 30 (Traffic and Vehicles) of the City of Dunwoody Code of Ordinances is hereby amended by revising Article I (In General), Section 30-5 (Skateboards and Bicycles) to read as follows:

- (a) All users of bicycles, regardless of age shall be allowed to utilize sidewalks within the city limits of the City of Dunwoody with the precautions outlined in this section, pursuant to O.C.G.A 40-6-144. For purposes of this section, a protected bicycle facility is defined as a facility that is separated from motor vehicle traffic by a physical barrier such as a raised median, curb or landscaped buffer.
- (b) No person shall ride a bicycle or propel roller skates, skateboards, or other similar devices upon a public street, highway, or sidewalk in a manner which would constitute an unreasonable danger to the public or which would disrupt the public's ordinary and customary use of such street, highway or sidewalk.
- (c) No person shall ride a bicycle or propel roller skates, skateboards, or other similar devices on sidewalks which are properly designated for pedestrians only. The chief of police and the department of public works, after approval of the public works director, are authorized to erect or have erected signs on any sidewalk or roadway prohibiting the riding of bicycles or propelling of roller skates, skateboards, or other similar devices. When such signs are in place, no person shall disobey the signs.
- (d) Whenever any person is riding a bicycle or skating upon a sidewalk, that person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian. Vehicular traffic must yield to pedestrians and any person riding a bicycle or skating upon a sidewalk.
- (e) Any person violating any provision of this section is guilty of a violation of this Code; provided, however, that any offender under the age of 17 years shall be treated as provided by O.C.G.A. § 15-

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11-1 et seq. The parent of any child and the guardian of the person of any ward shall not authorize or knowingly permit that child or ward to violate any provision of this section.

(Comp. Ords. 2008, ch. 17, art. 1, § 5)

SO ORDAINED, this ____ day of _____, 2020.

Approved:

Lynn Deutsch, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

City Attorney