

AN ORDINANCE BY
COUNCILMEMBER ANDRE DICKENS



AN ORDINANCE TO AMEND CHAPTER 138 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES), ARTICLE I (IN GENERAL), SECTION 138-65 (PERMITS FOR CONSTRUCTION OR EXCAVATION) BY ADDING NEW A NEW SUBSECTION TO BE CODIFIED AS SECTION 138-65(R) ENTITLED “FULL STREET CLOSURE NOTIFICATION TO RESIDENTS AND BUSINESSES”; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta Department of Public Works Office of Transportation manages and permits requests to close lanes, full streets and sidewalks; and

WHEREAS, the Department of Public Works *City’s Public Right-of-Way Manual* serves as a reference to anyone needing general information regarding activities conducted under a permit;

WHEREAS, Appendix G of the *City’s Public Right-of-Way Manual* requires: 1) a copy of notification letter to residences and/or businesses informing them of the closure at least five (5) business days prior to the proposed closure, 2) a signed and dated letter (by the applicant) listing residences and businesses that were notified about the closure, and that 3) all residences and businesses affected by the closure must be notified prior to a full street closure permit being approved; and

WHEREAS, in an effort to provide adequate notice to impacted owners of properties and businesses as well as to provide sufficient notification for streets proposed to be closed for more than 90 calendar days, the Department of Public Works issued a Notice of Policy/Procedure Change effective July 6, 2015; and

WHEREAS, Atlanta must create an environment in which every neighborhood is a place that is valued and its residents and businesses are adequately informed and allowed input into their quality of life; and

WHEREAS, in an effort to allow additional time for residents, business owners and neighborhoods to plan and/or reorganize for street closures of six (6) months or longer the City should codify the full street closure notification process and modify the *Extended Period Full Street Closure Notification Policy*.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Chapter 138 (Streets, Sidewalks and Other Public Places), Article I (In General), Section 138-65 (Permits for Construction or Excavation) is amended by adding a new Subsection to be codified as Section 138-65(r), (Full Street Closure Notification to Residents and Businesses), which shall read as follows:

Sec. 138-65 – Permits for construction or excavation.

(r) *Full Street Closure Notification to Residents and Businesses.* To provide adequate notice to impacted owners of properties and businesses as well as to provide sufficient notification for streets proposed to be closed, the applicant is required to follow the below notification requirements:

(1) Full Street Closures (less than 90 days)

a. Businesses and/or residents must be notified by mail at least five (5) business days prior to the proposed closure. (This includes all businesses and residences located between the detour route, the closed street and surrounding areas within a three (3) block radius)

(2) Full Street Closures (90 days – up to 6 months)

a. Businesses and/or residents that are located on or have access points on the street that is proposed for closure within a one (1) block radius should be notified to at least 30 calendar days in advance.

b. Notifications must be hand delivered or mailed to any impacted Neighborhood Planning Units and/or neighborhood associations at least 30 calendar days in advance

c. Businesses and/or residents, impacted Neighborhood Planning Units and/or neighborhood association located within a three (3) block radius should be notified at least 15 calendar days in advance

(3) Full Street Closures (6 months and longer)

a. Businesses and/or residents that are located on or have access points on the street that is proposed for closure within a one (1) block radius should be notified to at least 45 calendar days in advance.

b. Notifications must be hand delivered or mailed to any impacted Neighborhood Planning Units and/or neighborhood associations at least 45 calendar days in advance

c. Businesses and/or residents, impacted Neighborhood Planning Units and/or neighborhood association located within a three (3) block radius should be notified at least 30 calendar days in advance

SECTION 2: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed only to the extent of conflict.