City Council of Peachtree City
Agenda
October 20, 2005
7·00 p.m.

I Prayer

II Pledge of Allegiance

III Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Employee of the Month – Molly Drennen
Recognize Carolyn Stanton for 20 Years of Service
Recognize Supervisor of the Quarter – Carolyn Stanton

IV Minutes

V Consent Agenda
1 Consider Surplus of Fire Engine
2. Consider Bid for McIntosh Restroom
3 Consider Donation of Surplus Property
4 Consider Budget Amendment

VI Old Agenda Items

09-05-09a	Consider Amendments to Motorized Cart Ordinance (Registration)
09-05-09b	Consider Amendments to Motorized Cart Ordinance (Modifications)
09-05-16	Staff Recommendation on Sports Fields Pesticide/Herbicide Use

VII New Agenda Items

10-05-08	Request to Address Council from former Mayor Bob Lenox
10-05-09	Consider Adoption of LCI Report of Accomplishments and 5-year Action Plan
10-05-10	Consider Approval of Supplemental Agreement #1, CSX RR/SR 54 West Multi-use Path Connections (FA-AR-180)
10-05-11	Consider Amendment to Section 78-16, Heavy Trucks Prohibited on Certain Streets (Georgia Park)

VIII Council/Staff Topics

IX. Executive Session

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting.

CITY OF PEACHTREE CITY
INTER-OFFICE MEMORANDUM

TO Mayor Brown and Members of Council

VIA. City Manager, ATTN Mr Bernard McMullen
Assistant City Manager, ATTN Mr Colin Helterman
Director of Finance, ATTN Paul Salvatore
Assistant Director of Finance, ATTN Janet Camburn
Purchasing Agent, ATTN Angela Egan

FROM Stony Lohr
Fire Chief

DATE October 6, 2005

SUBJECT Declaration of Surplus, Engine 85
(Council Agenda-October 20th, 2005)

1 Recommendation Staff requests that Fire Department vehicle "Engine 85" be declared surplus for purposes of initiating advertising for national disposal action and that the Fire Department be authorized to coordinate with FIRETEC, Inc as a national sales agent.

2 Discussion The vehicle will not actually be removed from service and sold until the new Rescue Pumper is placed in service Receipt of the Rescue Pumper is currently projected for December 2005 This is the same process as previously used to dispose of fire apparatus. Although FIRETEC receives 10% of sales price for commission, the net price received by the City would still be higher than that received by going through a normal local auction process. We plan to initially list the sale price as $75,000 00 Any changes/decreases in sales price would be dependent upon time, sales conditions, and market comparisons.

FIRETEC is the nation's largest used fire apparatus reseller, and uses both Internet and national print advertising mediums.

Vehicle Description
1989 Pierce Dash
City Administrative Number 2211
VIN #1P9CT01D8KA040383
750 gallon water tank
1,250 GPM Waterous pump

3 Budget Impact. This will create additional revenue for the City compared to that which would be generated through normal local auction disposal procedures. Otherwise, none.

MV 1C 4444

GO 10283

[X] Alignment

EXPIRATION DATE

STATE OF GEORGIA
APPLICATION FOR REGISTRATION

TAG NUMBER

DECAL NUMBER

TAG OFFICE USE ONLY

EMISSION EXPIRATION DATE MM YY	VEHICLE COLOR	PLATE TYPE	COUNTY AD VALOREM TAX	MANUFACTURER'S I.D. NUMBER 1P9CT01D8KA040383		MAKE OF VEHICLE Pierce	
VID / TAX CODE	VALUATION		LICENSE TAG FEE 1,00	YR. 89	TYPE OF BODY TANK	CYL 06	DATE PURCHASED 1989	FUEL TYPE DIESEL
TAX DISTRICT	MILL RATE		WILDLIFE TAG FEE $15.00	MODEL PUMPER			PLATE TYPE GO
COUNTY NUMBER 112	TEMP OPERATION PERMIT NO.		SPECIAL TAG FEE	NEW OR USED N	PREVIOUS TAG 5044	STATE GA	PREVIOUS DECAL / YEAR

COMPLETE AND CORRECT FOR ALL TRUCKS

GROSS WEIGHT OF VEHICLE & LOAD	STRAIGHT TRUCK?	USED FOR HIRE?	
TYPE OF TRAILER PULLED	NO. OF AXLES		TAG TRANSFER FEE
PRODUCT HAULED?	IS THIS A FARM VEHICLE? YES( ) NO( )		MAIL FEE $1.00

COMPLETE AND CORRECT FOR ALL VEHICLES

GEORGIA COUNTY OF RESIDENCE FAYETTE	10% AD VALOREM TAX PENALTY
VEHICLE BODY COLOR RED	25% TAG PENALTY
EMISSION CERTIFICATE NUMBER	SHERIFF'S FEE $1.00
INSURANCE COMPANY SELF INSURED	TOTAL DUE 1,00
INSURANCE POLICY NUMBER	ADJUSTED TOTAL DUE

[redacted]

CITY OF PEACHTREE CITY

Fire Department

209 MCINTOSH TRAIL

PEACHTREE CITY GA 30269-2128

OWNER'S CERTIFICATE OF REGISTRATION

PUT "X" HERE IF REGISTERING BUSINESS ➔ [ ]

OWNER'S / LESSEE'S SIGNATURE OR BUSINESS OWNER'S SIGNATURE / TITLE ▼ DATE 9 19 77

I DO SOLEMNLY SWEAR UNDER CRIMINAL PENALTY OF A FELONY FOR FRAUDULENT USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS OR FOR MAKING A MATERIAL FALSE STATEMENT PUNISHABLE BY FINE UP TO $5000 OR BY IMPRISONMENT OF UP TO 5 YEARS, OR BOTH, THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE AND ACCURATE. I DO CERTIFY THAT THE VEHICLE DESCRIBED IS COVERED BY LIABILITY INSURANCE AS REQUIRED BY GEORGIA LAW.

TAGS ARE REQUIRED TO BE TRANSFERRED WITHIN 30 DAYS OF THE DATE OF PURCHASE O.C.G.A. 40-2-20 AS AMENDED

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO· **Mayor & Councilmembers**

VIA: **City Manager**
Assistant City Manager
Director of Financial Services
Assistant Finance Director
Purchasing Agent

FROM. ***Director of Leisure Services***

DATE: **October 7, 2005**

SUBJECT **Contract Award for McIntosh Recreation Complex Restroom/Concession (October 20, 2005 Council Meeting)**

Recommendation. Request that Council approve awarding the design-build contract for construction of a restroom and concession building at the McIntosh Recreation Complex to the Trison Group construction company from Tyrone, in the amount of $145,900 This is within the allotted budget.

Discussion: On July 22, 2005, the City solicited proposals and letters of interest from sixteen (16) construction contractors for design and construction of a restroom/concession building to service the McIntosh Recreation Area. The project was advertised in local newspapers in accordance with HB 1079 regarding procurement requirements and was also posted on the city website. Four (4) firms responded to our pre-proposal meeting, and two firms submitted proposals that were opened on August 30, 2005 The two proposals received were from Lester Construction Company and Trison Group Construction. Lester Construction could not procure the construction bonding that was required by the proposal specs and was disqualified, leaving Trison as the winning proposer. Trison does meet all proposal requirements.

The Trison Group completed the restroom and concession at the Kedron rink last year and did an excellent job. Their crews were well supervised and efficient, their workmanship was excellent and the project was completed on time in spite of weather and rock issues. Staff is confident Trison will handle this project in the same manner.

Budget Impact: Funds are available in the PIP from the annual allocation of $150,000 from the County for Recreation projects.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO Mayor and Councilmembers

VIA. Bernard J McMullen, City Manager

FROM Colin W Halterman, Assistant City Manager
Paul J Salvatore, Financial Services Director
Janet I Camburn, Assistant Finance Director
Angela R. Egan, Purchasing Agent

DATE October 11, 2005

SUBJECT Donation of Surplus Property
October 20, 2005 City Council Consent Agenda

Recommendation.

That City Council approve the donation of the following surplus property·

- Police Department orange/black raincoats (12) to City of Leslie, Georgia.

Discussion:

The Police Department has requested that the twelve (12) orange/black raincoats be declared surplus property and donated to the City of Leslie, Georgia. These raincoats are no longer used by the Police Department. A letter from the City of Leslie releasing Peachtree City from any liability is attached.

Although City Administrative Regulation (CAR) 7-1, Section V, Number A (3), does not specifically address the donation of surplus property, City Council has in the past approved the donation of surplus fire equipment to the other fire departments. City Attorney, Ted Meeker, has indicated that the City can donate property to another governmental unit.

Budget Impact:

There is no budget impact.

CITY OF LESLIE

POST OFFICE BOX 278
LESLIE, GEORGIA 31764

Phone: 229-874-5835
229-874-1259

Fax: 229-874-8160
E-mail: lesliepd@sowega.net

August 29, 2005

Peachtree City Council
350 S. Highway 74
Peachtree City, Georgia 30269

Dear City Council.

The City of Leslie wants to thank you for offering to donate some equipment to our Police Department.

The City of Leslie states it will not hold Peachtree City liable for any defects in this equipment or for any injuries caused by these defects.

Thank you again for donating this equipment to our Police Department.

Yours truly,

William C. Deriso

William C. Deriso
Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO· Mayor and City Council

VIA. Bernard J McMullen, City Manager

FROM: Colin W Halterman, Assistant City Manager
Paul J Salvatore, Financial Services Director
Janet I. Camburn, Assistant Finance Director

DATE. October 14, 2005

SUBJECT Budget Amendments
October 20, 2005 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment.

Discussion:

Attached please find a budget amendment (06-001) for fiscal year 2006 submitted for your approval. This budget amendment is a request to carry over fiscal year 2005 budgeted funds for projects incomplete or training time differences as of September 30, 2005 These items were budgeted in fiscal year 2005, but due to circumstances beyond the control of the departments the funds could not be spent last fiscal year and will be spent early this fiscal year

Budget Impact:

The proposed budget amendment will affect the General Fund by increasing both the budgeted revenues and expenditures by $72,315, bringing the fiscal year 2006 General Fund budget to $25,899,704

If you have any questions please do not hesitate to contact either Paul or Janet.

Thank you for your attention to this matter

Attachment

JIC/BUDGET AMENDMENTS – FY 06 – 10/20/05

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 06-001

DATE October 20, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-6110-54-1260	Improvements Other Than Buildings - Recreation	20,000	
100-3510-52-1200	Professional Services - Fire Department	18,000	
100-1580-54-2050	Machinery & Equipment - City Clerk	20,000	
100-7450-54-2050	Machinery & Equipment - Code Enforcement	12,315	
100-1511-52-3700	Education & Training - Finance	2,000	
100-00-38-9025	Surplus Carryover - General Fund	72,315	
	TOTAL	$ 144,630	$ -

To carry over budget in the General Fund for purchase orders outstanding at year end for specific unfinished projects and training time differences as follows:

Ballfield netting
Fire assessment services
Fingerpad payroll system
Code Enforcement vehicle
Finance education & training

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2006

October 20 2005

General Fund	
Budgeted Revenue and Expenditures before amendments	$ 25 827,389
Budget Amendments:	
Carryover from FY 2005	72,315
Budgeted Revenue and Expenditures after amendments	$ 25,899,704

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO· **Mayor & Council Members**

VIA. **City Manager**
Assistant City Manager

FROM. **Administrative Services Director / City Clerk**

DATE **October 15, 2005**

SUBJECT **Golf Cart Ordinance Amendments for registration program**
October 20, 2005, City Council Meeting

Recommendation.

Staff recommends that Council adopt the attached ordinance amendments.

Discussion.

Staff presented the attached ordinance amendments at the September 15 Council Meeting. As you know, Council approved a timeline and fee for the replacement of golf cart decals in August. The attached ordinance will allow us to proceed with the program in 2006, and to reflect the $12.00 fee established by Council. The proposed ordinance provides for issuing decals every five years.

Staff also learned that state law does not provide the City with the authority to require inspection of the carts, so those requirements for gasoline carts were removed from the ordinance.

At the September 15 meeting, the proposed ordinance included changes relating to modifications to golf carts. In the interests of moving forward with the decal replacement program, staff has addressed those changes in a separate ordinance that is the next agenda item.

The Police Chief and City Attorney have reviewed the proposed changes.

Budget Impact:

The funds for implementing the decal replacement program have been included in the FY2006 Budget. Revenues from the program should offset these costs, making this item revenue neutral. If excess revenues do materialize, they will be used exclusively for path maintenance.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED SO AS TO PROVIDE FOR MOTORIZED CART REGISTRATION AND TRANSFERS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY, TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT

Section 1 That Section 78-92of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by deleting it in its entirety and inserting in lieu thereof a new Section 78-92to read and to be codified as follows.

Sec. 78-92. Registration~~/inspection certification~~/transfer requirements.

(a) **Motorized carts**. It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the recreation paths and streets and those areas accessible by the public to register the cart with the city within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the ~~police department~~City Clerk's Office. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to have a current registration decal on a motorized cart shall be a violation of this Section and subject the owner of such cart to the penalties set forth in Section 1-11 of the Code of Ordinances of the City of Peachtree City.

1) **Resident Fee:** The registration fee for motorized carts owned by city residents shall be ~~$10.00~~$12.00, and the registration shall be effective ~~until such time as the cart is sold or otherwise disposed of~~ until the next regular registration period. Registration periods shall occur every five (5) years, beginning in 2006.

2) **Non-Resident Fee:** An annual registration/user fee of $60 00 shall be charged to nonresidents of the city The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of. This nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership, unless the nonresident had previously paid the registration/user fee the same calendar year, in which case a one-time transfer fee of ~~$5.00~~ $17.00 would be applicable to transfer ownership of the old cart and to register and obtain decals for the new cart.

3) **Registration Deadline**: If the cart is not registered within ten business days of purchase, a $20.00 penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten business-day period.

4) **Transfers:** Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of $5 00, and if the new owner is not a city resident, the nonresident registration/user fee for the balance of the year shall be due from the new owner If the registration is not transferred within ten business days, a $20 00 penalty will be applied in addition to the $5 00 transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period.

5) **Special tourism events**: Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

(b) **Gasoline carts.**

(1) Every gasoline powered motorized cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

a. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer

b. The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.

c. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.

(2) It shall be unlawful for the owner of any gasoline powered motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, to render the device unserviceable by removal, alteration or which interferes with its operation.

~~(3) Every two years, the cart must be inspected by a city golf cart dealer holding a valid city business license, and the dealer must certify that the exhaust system meets the standards as stated in this article. This certification must be presented to the city within ten business days following the end of each two-year period, and the registration shall be renewed for an additional two-year period at no charge. If the certification is not presented within ten business days, the gasoline cart shall be considered an unregistered cart.~~

~~(4) All gasoline carts purchased on or after September 1, 1993, must have a dealer certification in order to be registered; and after September 1, 1995, no gasoline-powered cart may be registered, renewed or transferred without dealer certification.~~

(c) Rental carts. Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the recreation paths and streets and those areas accessible by the public of the city Each such establishment renting carts shall be required to register each such rental cart in accordance with subsections (a) and (b) of this section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a) and (b).

(d) **Age, number of registrants limited.** Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person.

(e) **LSMV** No LSMV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the city unless it is legally registered and insured according to laws of the state.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2005

_____
Stephen D Brown, Mayor

_____

_____

_____

_____

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA. **City Manager**
Assistant City Manager
Administrative Services Director / City Clerk

FROM: **Public Information Officer / Deputy City Clerk**

DATE: **October 13, 2005**

SUBJECT **Golf Cart Ordinance Amendments for golf cart modifications, off-road vehicles, etc.**
October 20, 2005, City Council Meeting

Recommendation.

Staff recommends that Council consider the attached ordinance amendments.

Discussion:

On September 15, Council reviewed an ordinance amendment providing for the new golf cart decal replacement program, and addressing concerns about golf cart modifications and standards. As you may recall, the city has been encountering some problems and citizen complaints relating to carts that exceed the capacity of our path widths and tunnel heights, and that now go fast enough to endanger the pedestrians and cyclists who share the paths

The originally proposed verbiage prohibited carts from being modified from "manufacturers specifications for height, width, speed, and noise emission." Following concerns expressed on behalf of cart owners, dealers, and repair shops, Council voted to table the ordinance so that additional study could be performed.

Staff met with several of the local dealers, as well as a representative from the National Golf Car Manufacturers Association, and reviewed several types of popular modifications that can be made to golf carts. These include the purchase of slightly larger tires, intended to provide a smoother ride but requiring a slight lift in the cart height, to extensive overhauls that basically convert the carts to off-road vehicles. Other issues, such as replacing a motor in an older cart, could also technically violate the ordinance because the original motor capacity may no longer be available. Many of these types of modifications were not intended to be included in the ordinance.

The attached ordinance amendments were rewritten to eliminate some of these unintentional consequences, and to clarify some of the existing requirements and restrictions of the ordinance.

Ordinance Overview

Definitions: State law and city ordinance currently define a motorized cart as "every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less which cannot operate at more

than 20 miles per hour The state's definition for off-road vehicles was added, as were definitions for "canopy height" and "frame height" as used in the amendments. Finally, the American National Standards Institute, Inc., (ANSI) standards are defined. The standards were developed by the National Golf Car Manufacturers Association, and are endorsed by the three major manufacturers, Club Car, E-Z-Go, and Yamaha.

Operating Regulations: Four major elements have been added to this section. The first, (j), reinforces the definition of the motorized carts authorized to operate on the paths, and provides some height restrictions based on the capacity of the City's lowest tunnel, which is at Crosstown Road. It also establishes a frame height requirement. The second and third changes (k and l) incorporate the ANSI standards. Please note that older carts are not required to be brought into compliance, but any carts manufactured in 2006 or later should meet the standards, and any modifications made after the adoption of the ordinance cannot conflict with the standards. The final change (o) stipulates that other cart modifications that do not conflict with the ordinance are still allowed – some citizens had expressed concerns about limitations on their ability to add rear view mirrors and other accessories that do not affect the cart's compliance.

Authorized and Prohibited Path Users: The ordinance has always been exclusive when it comes to the types of vehicles operated on the paths. Although certain uses have been specifically prohibited, a vehicle must be listed among the authorized uses to technically be allowed on the paths. The change to the authorized uses merely brings the uses of the term "golf cart" into conformance with the definitions, which use the term "motorized cart." Three uses have been specifically prohibited – the first is carts that do not meet the state and city definition of motorized cart (i.e., any vehicle that can go faster than 20 miles per hour or that weighs more than 1,300 pounds). While these uses were already prohibited, including them among the prohibited uses should help clarify the existing requirements. The second prohibition is against carts or LSMVs that exceed the height capacity of the tunnels, or that exceed a nine-inch frame height. The final prohibition is of off-road vehicles, as defined by the state and the city

Motorized Play Vehicles: The only change to this section of the ordinance is a correction of the numbering. However, the standards are applicable to the current discussion because, as defined, the term "motorized play vehicle" would include off-road vehicles, and carts modified to meet that all-terrain classification.

The Police Chief and City Attorney have reviewed the proposed changes. The local golf cart dealers were provided with a copy of the proposed ordinance on Tuesday, October 11, and may not have had time to submit suggestions or concerns prior to the preparation of the Council packets, particularly relating to the ANSI standards and the height limitations. Any suggested changes will be forwarded to Council for the meeting on October 20

Attachments:

1 Letters from Mr Terry Garlock and Mr John Stern expressing concern about braking requirements. The standards actually give a braking formula based on the weight and speed of the vehicle, and do not set specific requirements based on the size of the vehicle.
2. Email and letter from Mr Fred Somers of the National Golf Car Manufacturers Association suggesting a number of amendments, requirements, and standards. Some of these were incorporated into the ordinance. In other cases, we may be somewhat limited as to the requirements we can impose, but the recommendations can certainly be conveyed to the public through the brochure and during the decal replacement and new registration process.
3 ANSI Standards. Because the standards are copyrighted, the City cannot digitally duplicate and post the courtesy copy we have been given for review However, a copy will be provided to Council, and one will be available for public review at City Hall.

Budget Impact:

This item should have a budgetary impact of $110 to purchase copies of the referenced ANSI Standards. These funds are available in the City Clerk budget for ordinance codification.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED SO AS TO PROVIDE FOR MOTORIZED CART OPERATION REGULATIONS, TO PROVIDE FOR AUTHORIZED AND PROHIBITED USES OF THE PEACHTREE CITY RECREATION PATHS; TO PROVIDE CLARIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, The Multi-Use Path System is an integral part of the Peachtree City community, and is utilized by the majority of residents and many visitors for transportation and recreational purposes; and

WHEREAS, The paths are designed to support a limited range of uses based on path width, tunnel width and height, and the variety of authorized users, which include pedestrians, cyclists, motorized carts, authorized low-speed vehicles, and other authorized uses; and

WHEREAS, The commingling of these uses and the volume of users requires the establishment of certain regulations to address the health, safety, and welfare of the users of the multi-use path system, and

WHEREAS, Certain state laws and city ordinances exist governing the use of motor vehicles, motorized carts, and other vehicles permitted on and prohibited from the Peachtree City multi-use path system, and

WHEREAS, The proliferation of vehicles that bear similarities to bicycles, motorized carts, and low speed vehicles requires clarification of which vehicles are permitted and which are prohibited from the multi-use path system, and

WHEREAS, The Mayor and Council of Peachtree City are authorized to enact ordinances to protect the health, safety, and welfare of those within the city; and

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT

Section 1. That Article III, Motorized Carts, Section 78-91of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by deleting it in its entirety and inserting in lieu thereof a new Section 78-91to read and to be codified as follows.

Sec. 78-91. Findings; definitions.

(a) The city council finds that all streets and paved recreational paths located within the territorial boundaries of the city and under its jurisdiction are designed and constructed so as to safely permit their use by operators of motorized carts, electric bicycles, and low speed motor vehicle ("LSMV"), except as stated elsewhere in this article.

(b) The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section.

(1) ***"All-terrain vehicle"*** means any motorized vehicle designed for off-road use which is equipped with three or more low pressure tires and with a seat to be straddled by the operator and with handlebars for steering control.

(2) ***"ANSI Standard"*** means the American National Standards Institute, Inc., Standard ANSI/NGCMA (2004)– Safety and Performance Specifications for Personal Transport Vehicles, and as hereafter amended, and ANSI/NGCMA (2004) Safety and Performance Specifications for Golf Cars and as hereafter amended. A copy of these standards is on file with the City Clerk.

(~~2~~3) ***"Bicycle"*** means every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter

(4) ***"Canopy Height"*** means the vertical distance between a level surface and hight of the canopy, or roof, of a motorized cart, either at the side edge of the cart, or at the highest point, as indicated. Such height shall be measured when the vehicle is upon such level surface without a load.

(~~3~~4) ***"Dealer"*** means a person engaged in the business of buying, selling, or exchanging vehicles who has an established place of business in this state.

(~~4~~5) ***"Electric bicycle"*** means a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor For such a device to be considered an electric assisted bicycle, it shall meet the requirements of the Federal Motor Vehicle Safety Standards, as set forth in 49 C.F.R. Section 571, et seq., and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied. The electric motor in an electric assisted bicycle shall.

(A) Have a power output of not more than 1,000 watts;

(B) Be incapable of propelling the device at a speed of more than 20 miles per hour on level ground, and

(C) Be incapable of further increasing the speed of the device when human power alone is used to propel the device at or more than 20 miles per hour

(~~5~~6) ***"Electric personal assistive mobility device"*** or "EPAMD" means a self-balancing, two nontandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

(7) ***"Frame height"*** means the vertical distance between a level surface and the lowest point on the frame of a motorized cart, measured when the vehicle is upon such level surface without a load.

(~~6~~8) ***"Gross weight"*** means the weight of a vehicle without load plus the weight of any load thereon.

(~~7~~9) ***"Low-speed motor vehicle"*** or ***"LSMV"*** means any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. Section 571.500 and in effect on January 1, 2001

(~~8~~10) ***"Moped"*** means a motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

(~~9~~11) ***"Motorcycle"*** means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, all-terrain vehicle, dirt bike, and moped.

(~~10~~12) ***"Motor driven cycle"*** means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, every bicycle with a motor attached, and every moped.

(~~11~~13) ***"Motorized cart"*** means every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour

(~~12~~14) ***"Motorized play vehicle"*** means a coaster, scooter, pocket bike, any other alternatively fueled device, or other motorized vehicle that is self-propelled by a motor engine, gas or electric, and is not otherwise defined in this code as a "motorized cart", "low speed motor vehicle (LSMV)" "motor vehicle", "motorcycle", "electric bicycle", motorized skateboard", "electric personal assistive mobility device" or "motorized wheelchair"

(~~13~~15) ***"Motorized skateboard"*** means a self propelled device, including Segways, that has a motor, gas or electric, a deck upon which a person may ride, not equipped with a seat, and at least two (2) tandem wheels in contact with the ground and which is not otherwise defined in this code as a motor vehicle", "motorcycle", "motorized play vehicle", "motor scooter", "electric personal assistive mobility device" or "motorized wheelchair"

(~~14~~16) ***"Motorized wheelchair"*** means a self-propelled wheelchair that is used by a physically disabled person for mobility

(17) "***Off-road vehicles***" are defined as any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain and not intended for use predominantly on public roads. It includes, but is not limited to, four-wheel drive or low-pressure tire vehicles, two-wheel vehicles, amphibious machines, ground effect or air cushion vehicles, and any other means of transportation deriving power from any source other than muscle or wind (O.C.G.A. 40-7-3)

(~~15~~18) ***"Pocket motorcycle"*** or ***"pocket bike"*** means a two-wheeled vehicle other than a motor vehicle, bicycle with helper motor or a motorized scooter and which is propelled by an internal combustion engine, electric motor or other mechanical means, is capable of carrying a rider and/or passenger at a speed in excess of 20 miles per hour, and is designed to replicate the general appearance of a motorcycle, regardless of the scale of the replication.

Section 2. That Section 78-93 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by inserting a new subsection (j), and renumbering the existing sections (j) and (k) to (k) and (l) respectively as follows.

Sec. 78-93. Operation regulations.

(a) Those persons who are 16 years of age and older may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city unless such person has had his or her license to operate a motor vehicle suspended or revoked by the state which issued said license in which case such person shall not be permitted to operate a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city during the time of suspension or revocation.

(b) Those persons who are 15 years of age but not yet 16 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city·

(1) If he or she does not have in his or her possession a valid instructional permit issued by the state pursuant to O C.G.A. § 40-5-24, as may be amended, and has not had his or her instructional permit suspended or revoked, then he or she shall be accompanied in the front seat by a person at least 18 years of age who holds a valid motor vehicle driver's license or he or she shall be accompanied in the front seat by a parent, grandparent or legal guardian, or

(2) If he or she has in his or her possession a valid instructional permit issued by the state pursuant to O C.G.A. § 40-5-24, as may be amended, and is unaccompanied by a licensed driver as provided in subsection (b)(1), or is unaccompanied by a parent, grandparent or legal guardian as provided in section (b)(1), then he or she may be accompanied in the vehicle by up to one other person who must be at least 15 years of age, or he or she may be accompanied by up to three immediate family members.

(c) Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in the front seat by a parent, grandparent or legal guardian.

(d) No person under the age of 12 shall be permitted to drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city under any circumstances.

(e) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths, streets and those areas accessible by the public in the city Where cart paths exist, they must be used in preference to parallel city streets with the exclusion of those cart paths privately owned and maintained by the Flat Creek and Braelinn clubs as part of the golf courses and not used by the general public.

(f) Motorized carts shall not be operated on sidewalks at any time.

(g) Motorized carts may be operated over those authorized streets, recreational paths and those areas accessible by the public only during daylight hours unless such motorized carts are equipped with functional headlights and taillights.

(h) No motorized cart shall be permitted to operate over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided.

(i) It shall be unlawful for the owner of any motorized cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart or LSMV to operate or permit the operator of any motorized cart or LSMV to drive over the recreational paths, streets or those areas accessible by the public in the city in violation of this article.

(j) It shall be unlawful to operate on the paths of Peachtree City any motorized cart that does not meet the definition of 'motorized cart" as such term is defined in Section 78-91, or that exceeds a canopy height of seventy-two (72) inches at the outer edge of canopy, an overall canopy height of seventy four (74) inches, or whose frame height exceeds nine (9) inches as measured from the surface of the street to the lowest point on the frame of the motorized cart.

(~~j~~k) It shall be unlawful to operate on the paths of Peachtree City any new motorized cart manufactured after January 1, 2006, that does not meet the ANSI standard for required equipment, lateral stability, and braking capacity, and if gasoline powered, does not meet the fuel systems specifications and tests set forth in the ANSI Standard.

(l) It shall be unlawful to operate on the paths of Peachtree City any motorized cart that has been modified after the adoption of this ordinance so that the modifications conflict with ANSI standards for lateral stability or braking capacity.

(m) LSMV Only persons possessing a valid license issued by the state, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the state may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the city

(n) No LSMV shall be permitted to operate on, over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided. No LSMV shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour Except as prohibited above, LSMVs shall be permitted to cross over streets of which the posted speed limit exceeds 35 miles per hour

(o) Nothing in this article shall be construed to prohibit the use of additional parts and accessories on any vehicle, which use is not inconsistent with the provisions of this article.

Section 3. That Section 78-94of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by deleting it in its entirety and inserting in lieu thereof a new Section 78-94 to read and to be codified as follows.

Sec. 78-94. Recreation path users--Authorized.

Authorized users of asphalt recreation paths and sidewalks are as follows.

(1) Pedestrians;
(2) Nonmotorized vehicles;
(3) Roller skates, roller blades and skateboarders (daylight only);
(4) Registered electric-powered ~~golf~~ motorized carts;
(5) Registered gasoline-powered ~~golf~~ motorized carts;
(6) Emergency and authorized maintenance vehicles,
(7) Bicycles, traditional and electric (as defined in section 78-91);
(8) Electric and conventional wheelchairs; and
(9) Electric vehicles designed to carry one person at a speed not to exceed 20 miles per hour except as prohibited in section 78-95
(10) LSMV provided that the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour

Section 4. That Section 78-93 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by inserting a new subsection (12), as follows:

Sec. 78-95. Recreation paths – Prohibited uses.

Prohibited uses of recreation paths are as follows:

(1) Automobiles and trucks (except authorized maintenance vehicles);
(2) Motorcycles;
(3) Street and trail motorized bikes or vehicles (not to include electric bicycles);
(4) Minibikes and mopeds;
(5) Horses;
(6) Go-carts;
(7) Un-registered electric-powered golf carts or motorized carts;
(8) Un-registered gasoline-powered golf carts or motorized carts;
(9) Electric or gasoline powered scooters;
(10) Motorized play vehicles;
(11) Un-registered LSMVs; and
(12) Except as permitted in Section 78-94, any vehicle designed by the manufacturer to be able to travel at speeds in excess of 20 miles per hour under its own power on a flat surface.
(13) Electric-powered or gasoline-powered motorized carts that do not meet the definition of "motorized cart" as such term is defined in Section 78-91.
(14) Motorized carts or LSMVs that exceed a canopy height of seventy-two (72) inches at the outer edge of canopy, an overally canopy height of seventy four (74) inches, or whose frame height exceeds nine (9) inches as measured from the surface of the street to the lowest point on the frame of the motorized cart.
(14) Off-road vehicles.

Section 5. That Section 78-93 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by inserting a new subsection (12), as follows.

Sec. 78-96.1. Motorized Play Vehicle; Authorizations; Prohibitions; Disclosure Requirements.

(a) No motorized play vehicle may be operated on any public street, public roadway, public sidewalk, public park, public or private parking lot, public trail, public shared multi-use path, public bicycle path, and all other public property

(b) Motorized play vehicles are permitted on private residential property with the permission of the property owner. In the case of residential property commonly owned by a Homeowner Association, the Homeowner Association may regulate such usage.

(c) No motorized play vehicle may be operated on any private commercial/ industrial property unless the location where the vehicles are to be operated is inaccessible to normal pedestrian or vehicular traffic (such as an enclosed warehouse or fenced parking lot with a locked gate). Motorized play vehicles may be operated on private commercial/ industrial property meeting these restrictions with the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either

(d) No person shall operate a motorized play vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity

(e) The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

(f) It is unlawful for any vendor or merchant to sell motorized play vehicles without making disclosures required by this section. Any merchant or vendor who sells motorized play vehicles within the City shall.

(1) Post in a prominent place at each location where motorized play vehicles are on display, a notice, on a sign not less than 96 square inches and visible to the public, stating that operation of motorized play vehicles:

(A) are prohibited on any public street, public roadway, public sidewalk, public park, public parking lot, public trail, public shared multi-use path, public highway or any part of a highway, public bicycle path and all other public property in the City of Peachtree City

(B) are allowed to be used on private residential property with owner's written permission, except private parking lots,

(C) are allowed to be used on private commercial / industrial property only in areas inaccessible to normal pedestrian or vehicular traffic and only with the written permission of the owner/agent..

(2) Provide a copy of such notice to each purchaser of a motorized play vehicle, either before or in connection with the purchase of a motorized play vehicle. If the purchaser is a minor, the minor's parent or legal guardian must sign a receipt of said notice.

(3) Any motorized play vehicle owned by a governmental entity and which is operated in the performance of authorized duties or activities, is exempt from the provisions of this ordinance.

(~~f~~g) Temporary suspension of all or part of this Ordinance may be granted by the City Council for special events.

Section 6. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 7 Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 8. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2005

_____
Stephen D Brown, Mayor

_____

_____

_____

_____

Attest: _____
City Clerk

Terry L. Garlock
124 Santolina Park
Peachtree City, Georgia 30269
(770) 631-9774 tgarlock@mindspring.com

October 11, 2005

Peachtree City Council Members
City Hall
151 Willowbend Road
Peachtree City GA 30269

Dear City Council Members:

I won't be able to attend the City Council meeting October 20 when you will hear public comments about the golf cart ordinance currently being drafted, but I did want to send my thoughts to you.

I believe the ordinance being drafted is intended to set maximum limits on height and width of golf carts, and I understand there is no length limitation set that would interfere with stretch golf carts. My concern is the part of the ordinance dealing with brakes on stretch golf carts. Betsy Tyler indicates she is incorporating into the draft the safety standards of a national organization and she clearly believes " those stretch golf carts just aren't safe without brakes front and back!"

I disagree, and if you ask I will be happy to bring my stretch golf cart to City Hall for the City Council members, and Betsy, too, to take a spin and try it firsthand.

Did you know when EZ-Go builds a new stretch 6-seater electric golf cart, it rolls off the factory floor with rear brakes only, unless the customer has a particularly hilly application and is willing to pay more for the option of front brakes? If you want to verify, call Robert Samples at EZ-Go, 706-836-6101 (cell).

Did you know the brand new stretch 6-seater Star Car golf carts sold by local dealers have rear brakes only?

Did you know the brand new stretch 6-seater Fairplay golf carts sold by local dealers have rear brakes only?

Bill Toney owner of Jenco golf carts says he doesn't know of a single time stretch 6-seater golf cart owners have had a braking problem.

JC Martin, owner of Peachtree Golf Cars says rear brakes on stretch 6-seaters do just fine, he's never seen a braking problem. Furthermore, JC says if an ordinance passes requiring front brakes he will probably just quit making stretch golf carts since front brakes aren't necessary and they will cost well over $1,000. If getting rid of stretch golf carts is a hidden agenda, maybe it will work.

Frank Kadkhodaian, owner of Golf Rider, says adding front brakes to 6-seaters would cost a lot and are not necessary

John Stern, a respected local golf cart mechanic, says front brakes are not necessary on a stretch 6-seater and he does not know of a single time stretch 6-seater golf cart owners have had a braking problem.

And then there is JH Hiller, owner of Bulldog Supply who says 6-seater golf carts are just not safe without front and rear brakes. Please note he sells Club Car, which DOES put brakes front and rear on new 6-seater golf carts. Maybe it's just coincidence, but his opinion takes a shot at his competition.

And finally there is me, a mere stretch golf cart owner I have never heard of a braking problem on a stretch golf cart, though surely there must be some just like there are braking problems on 2-4 seater golf carts – they are mechanical and require repairs now and then just like our cars.

But here's the rub. What compelling interest in golf cart brakes brings the City Council into such an area? The argument is safety, but I think the argument breaks down. Recently there was a golf cart death when a lady fell out of a golf cart and hit her head. Will we require helmets on golf carts as a safety measure? What about seat belts, head lights, tail lights, brake lights and turn signals and horns and emergency flashers like my golf cart has? Will we require all golf carts to have all these safety measures? No, of course not, safety is not an absolute, there is a balance between safety and practicality, and there is some individual choice involved in how much we are willing to spend.

The practicality is this – the new ordinance with brake requirements for stretch golf carts will add between $1,000 and $1,500 to the cost for our citizens, <u>and to no good purpose</u> in my opinion.

My concern here isn't about myself, my stretch golf cart will be grandfathered in. It's about all the unfortunate citizens who follow after the ordinance is enacted, who want a stretch golf cart so their kids can better enjoy what is unique about Peachtree City Many of them will find the stretch carts not available or too expensive because the City Council overruled golf cart mechanics with eons of experience to say stretch carts must have brakes both front and rear

My concern also is our representatives need to be aware there are limits to what they can and should do as government officials. Enacting ordinances to dictate what kind of brakes a golf cart should have is clearly over the line in my eyes, especially when the benefits are debatable.

I know you and the staff at City Hall have the best interest of Peachtree City at heart. So do I. I hope you will think this over before casting your vote.

Very truly yours,

Terry L. Garlock

Ms. Betsy Tyler
Peachtree City PIO,

I have read the draft of the new ordinance which includes the new ANSI/NGCMA-backed standards for the cars and have come up with a few suggestions to be pondered for the final draft. Before I get to my suggestions I wanted to let you know that I am all for the safety of the citizens on the cart path system, but I think that you guys are going a little too far and are legislating good, old-fashioned common sense out of driving a golf car That said, below are some concerns that I have about the new standards for golf cars.

The ONLY golf car dealer that I have conversed with who is in favor of the front brakes for stretch cars (as per the new ANSI/NGCMA standards) seems to be Bulldog Supply Bulldog is the factory authorized dealer for Club Car brand golf cars. The disturbing thing is that the ONLY stretch golf car that is manufactured with standard front brakes is Club Car EZGO, Yamaha, Star, and Fairplay cars do not come with standard front brakes, nor do Melex and Par-Car EZGO offers hydraulic front disc brakes as an option, but that drives the retail price of the car well over eighty-five hundred dollars. I have conversed with the head of special vehicles at Yamaha and he tells me that the new G-22 model car doesn't currently have any option for front braking systems, but the G-19 model and prior models can be retrofitted with them for a mere $1600 What this means is that the ONLY stretch golf car brand that will be able to be legally sold with standard equipment is Club Car I don't think that is very fair to the other dealers here in town who sell the other brands of cars.

I do understand that any of these cars which were built and sold to individuals prior to January 1st, 2006 will be "grandfathered", but I don't understand what happens when a dealer takes one of these cars in on trade, rebuilds it, and then re-sells the car to a new owner Will that car then have to be fitted with a braking system for the front wheels before it can be registered in the new owner's name? Also, what happens when an individual sells their car to another individual who rebuilds and repaints the car themselves, thereby requiring a new registration decal? In conversations with EZGO, Club Car, and Yamaha representatives I have come to understand that the cost of adding these brakes ranges from just over $1000 to about $1600 dollars depending on the brand. I have also come to understand that it is a very difficult endeavor to install these braking systems which in some cases involves welding on new support brackets and cutting the frames of the vehicles to make the braking systems fit.

I asked a fellow dealer what they will do if they have to retrofit a stretch trade-in. The answer was that the owner will simply be offered much less for trade to help offset the cost of adding the new braking system. This will allow them to re-sell the car at a reasonable price when it is completed. That doesn't make me feel too giddy about the new ordinance amendments because I don't think it's fair that an owner will lose thousands of dollars worth of equity in their car because the city council passed a law

This brings me to the issue of "lifted" golf cars. I understand that the ordinance changes you sent us are simply a draft, but I'm sure that you will stick closely to the draft when

you draft the finalized version. There are many different types of lift kits available to owners of golf cars. There are frame-cut, Z-bracket, and complete conversion lift kits available, and each brand of car may use a different type of kit. Each of these kits lifts the car in a different manner and although they lift the car approximately the same height, the "lowest part of the frame" will vary greatly I will use the actual frame of the car in this example: An EZGO with one type of 4-inch lift kit and 25-inch tires will have a frame height of approximately 18 inches, while a Club Car with another type of 4-inch lift kit and 25-inch tires will have a frame height of approximately 11 inches at its lowest point. However, that same Club Car with a different type of lift kit will bring its frame to a height of approximately 16-17 inches. Both of these cars with the same type of roof will be close to the same overall height with a difference still measurable by inches. I did not have a lifted Yamaha handy at the time to measure its frame, but I'm sure it's somewhere in between these numbers, if not slightly above them. What I'm getting at here is that the "frame height" is not a solid number to go by Many of the lifted cars in town have similar heights to those found from the major manufacturers. The EZGO Clays Car has an overall height of about 80-inches and the Club Car XRT 550 (similar to their Lynx car) has a height of 72-inches. That's a big difference considering they both have approximately a 4-inch lift kit and similarly sized tires!

Most of the tunnels in town have a height of over 85" in the center of the tunnel. The tunnel under Crosstown Road is the only exception to the rule with a height of approximately 78" in the center My answer for this, because there are many alternate routes around the Crosstown tunnel, is to put a "low clearance-enter at your own risk" sign at each entrance to the tunnel. I still back my height recommendation of 80-inches of overall height for use in the ordinance.

The final suggestion for the ordinances is that you remove the line at the bottom which states "temporary suspension of all or part of this Ordinance may be granted by the City Council for special events" If you are going to fly these changes under the banner of "public safety" then why are you going to make special exceptions for the out-of-towners who participate in the Fourth-of –July parade, thereby "endangering" us all!?

These changes are going to set the new standard in Peachtree City, and I think that they need to be reasonable and fair to all people. A 20 MPH speed limit is a good example. However, legislating the common sense out of driving a golf car is not the answer, we are all accountable for our own actions! We do not all think the same, and it is that fact that makes America great. When you start legislating how we express ourselves and fly it under the banner of "public safety" you start upsetting a lot of people.

John Sten
Owner
John's Golf Car Service

Betsy Tyler

From: Fred L. Somers [fsomers@somerslawfirm.org]
Sent: Wednesday October 12, 2005 12:09 PM
To: info@peachtree-city org
Cc: jcheek@ymmc.yamaha-motor.com
Subject: Peachtree City Motorized Cart Ordinance amendments

Tyler.lt.101205.doc

Golf Cart endments (October

ATT94314.txt

Ms Betsy Tyler
Public Information Officer
Peachtree City, Peachtree City, Georgia

Dear Ms Tyler

We attach a letter regarding the proposed amendments to 78-91 et seq written before we received your draft amendments this morning We have made a few suggestions to the latter but are leaving town early this afternoon and wanted you to have the benefit of these suggestions even though we may have others depending upon the time constraints and whether we hear from one of the golf car engineers intimately knowledgeable about the subject you are addressing

You have done a commendable job in a brief time frame However, as you review our letter to you, you may agree there are other significant safety issues to be addressed which may necessitate deferring final approval of the amendments if you and the City Council agree with some or all of them

I personally plan on attending the City Council meeting on 10/20 if the amendments are to be considered on that date Please keep me advised if they are not going to be considered

Please also keep me on your distribution list for further revisions or changes

We certainly have no intention of talking with the media; that is your job and pretentious of us to be doing so We did take the liberty of copying the City Attorney as required by the Georgia Bar ethical standards and rules

Thank you

Sincerely,
Fred L Somers, Jr
Secretary and General Counsel
National Golf Car Manufacturers Association

NGCMA National Golf Car Manufacturers Association
Two Ravinia Drive, Suite 1200
Atlanta, GA 30346-2130
770-394-7200
770-454-0138 Fax
URL www.ngcma.org

Via email to info@peachtree-city.org
Ms. Betsy Tyler,
Public Information Officer
Peachtree City Hall,
Peachtree City, Georgia

Dear Ms. Tyler·

This letter addresses proposed revisions to the Peachtree City golf car ordinance we understand from news sources are being contemplated by the Peachtree City Council Joel Cheek, one of our directors, informs us you are responsible for drafting the proposed revisions. We understand Joel delivered to you a copy of ANSI/NGCMA Z 135 (2004), Safety and Performance Specifications for Personal Transport Vehicles.

As stated on our web site, www.ngcma.org, National Golf Car Manufacturers Association, ("NGCMA"), was organized in 1984, for among other reasons, to foster the promotion of safety standards with respect to golf cars Its members, all of whom are located in Georgia, account for in excess of 95% of the new golf cars and Personal Transport Vehicles, ("PTVs"), manufactured and distributed in the U S

NGCMA as an accredited standards developer under the auspices of the American National Standards Institute, ("ANSI"), developed and maintains the ANSI sanctioned standard establishing safety and performance specifications for the design and operation of golf cars, ANSI/NGCMA Z 130 1, and of Personal Transport Vehicles, ("PTVs"), ANSI/NGCMA Z135

NGCMA has watched with interest the development of Peachtree City and is impressed with the uniqueness of its long range planning and what has been described as "An American Prototopia "[1] You have much to be proud of and it may well be you have discovered the key to unlocking automobile gridlock with the success of your golf car path system and its resulting relief of the road/car network.

[1] Dalton, "An American Prototopia; or Peachtree City as an Inadvertent, Sustainable Solution to Urban Sprawl" In: 5th International Space Syntax Symposium, 13-17 June 2005, Delft, Holland.

It is important, however, that the path system and the use of the path system by golf cars and PTVs (the latter is basically a golf car capable of speeds exceeding 15 mph but less than 20 mph and outfitted with accessories allowing for nighttime transportation), be safe and conform to established safety principals. With the foregoing in mind, NGCMA offers the following comments on the proposed revisions to the Peachtree City Ordinance 78-91 *et seq.* (Motorized Carts) and 718 (Cart Paths) and 804 (Cart path design standards)

A. Source Material In determining what issues to address regarding the proposed golf car ordinance amendments, we considered the following resources

1 Applicable State (Georgia) Statutes – See Appendix A

2. Applicable (present) Peachtree City, Ga Ordinances – See Appendix B

3 Federal Motor Vehicle Safety Standard, ("FMVSS"), 49 CFR 571 500 – See Appendix C

4 ANSI/NGCMA Z 130 1 (2004) Safety and Performance Specifications for Golf Cars – See www.ngcma.org

5 ANSI/NGCMA Z 135 (2004) Safety and Performance Specifications for Personal Transport Vehicles – See www.ngcma.org

6 Munford, John, "Modified carts face modified rules" www.thecitizennews.com/main/archive-051005/fp-05_**modified**.html - See Appendix D

7 Jefcoats, Kathy, "Peachtree City Residents express shock over first golf cart death" Atlanta Journal- Constitution 09/29/05 – See Appendix E

8 Extracts from SAE J2258 Revised DEC2003 relating to seat belts – See Appendix F

9 Extracts from NGCMA Golf Course Safety Guidelines – Appendix G

B Discussion Items. The following constitute items we recommend to the Peachtree City Council to consider in amending its motorized cart, cart path and cart path design ordinances.

1 Seat belts – forbid them unless the vehicle qualifies as a Low Speed Vehicle ("LSV"), pursuant to FMVSS 500 and meets the requirements of SAE J2258 Revised

DEC2003 relating to seat belts, or for the sole purpose of providing an anchor for infant seat.[2]

2. Speed limits – require speed limit of 15 mph on paths and in all cases where operator is less than 18 years of age[3] The present 20 mph speed is too high for interaction with pedestrian, wheel chair and other non-vehicular traffic given the grades and curves present in the path system [4] Speed limits should be reduced to 15 mph. In cases where higher speed is considered safe, it should be recited as "less than 20 mph" or 19 mph rather than at 20 mph If a vehicle is capable of 20 mph speed, then it qualifies as an LSV

3 Reference to ANSI Standards – Where not otherwise specifically addressed in the ordinance, incorporate by reference ANSI/GGCMA Z135 and Z130 1 as applicable safety and maintenance specifications.

4 Path Design – incorporate design standards from Appendix G where not in conflict with existing path design ordinance.

5 Lift kits – where installed by users or at user request, require lateral stability test pursuant to ANSI/NGCMA Z135 (2004) or Appendix F It is recommended no modifications to suspension systems of new motorized cars not specifically approved and supplied by the vehicle manufacturer be allowed

6 Vehicle Dimensions – Width dimensions are typically determined by factors other than safety, *e.g* , shipping container size limitations and machine tools used in assemblies Moreover, width of paths, now 10' and presumably in some older cases 8', require 39" or less to safely allow two golf cars or PTVs to pass each other when proceeding in opposite directions For frame raise issues and height restrictions , consult lateral stability test pursuant to item 5

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[2] **Seat Belts should not be used without a roll over protection system (ROPS) conforming to FMVSS regulations.** Golf car sun canopies are seldom qualified as roll over protection systems (ROPS). It is recommended if seat belts are used in golf cars the passenger compartment roof conform to the standards and requirements of the federal motor vehicle safety standards (FMVSS) regulations, *i.e.*, 49 C.F.R. 571.216. Many golf course mowers have ROPS for a comparison. Use of seat belts during a rollover without ROPS conforming to FMVSS regulations, may result in severe injury or death. However, golf cars designed for disabled golfers may require the use of seat belts for safe operation by a disabled golfer notwithstanding the absence of FMVSS conforming ROPS If seat belts are used, it is recommended seat belt assemblies (Type 1 or 2) conform to SAE J114, SAE 140A, SAE J 141, SAE J339 AND SAE J800.

[3] 18 years of age is recommended rather than 16 (the age for having a drivers license) because there is no mandated insurance coverage thus creating the need for a responsible adult to be responsive in damages if the use of the vehicle results in property damage or personal injury

[4] Query· whether if the paths are to be 10 feet in width, clear painted lines could be used to separate wheelchair and foot traffic from vehicular traffic. Unless horns are required on motorized carts, mixing pedestrian with vehicular traffic especially going in the same direction on 8-10 foot wide pathways is a prescription for injuries.

7 Golf cars - Require all vehicles capable of speeds in excess of 15 mph but less than 20 mph[5] to conform to ANSI/NGCMA Z 130 1 (2004) specifications.

8 Personal Transport Vehicles ("PTVs") – Require all vehicles capable of speeds in excess of 15 mph but less than 20 mph to conform to ANSI/NGCMA Z 135 (2004) specifications

9 Low Speed Vehicles ("LSVs" and "NEVs") – Require all vehicles capable of speeds in excess of 19 mph but less than 25 mph to conform to FMVSS 500

10 Other vehicles - Forbid vehicles capable of speeds in excess of 25 mph from accessing or traversing the golf car paths.

11 Signage – Following a safety survey analysis of the golf car path system in its entirety[6], place appropriate signs at slope and curve locations conforming to recommendations of the safety committee performing the analysis Use signs similar to street signs that conform to American National Safety Institute Sign Standards.[7] The safety committee should inspect the path system at least annually to ascertain whether repair and maintenance issues are present.

12 Defined Terms – The term "golf carts" is not derived from and is at variance with statutory enabling legislation[8] using the terms "motorized carts"[9] and "low speed vehicles" respectively It is recommended the ordinances be clarified by either changing "golf carts" to "golf cars" and include PTVs (as defined in ANSI/NGCMA Z 135) and LSVs (as defined by FMVSS 500) as separately identified vehicles. The use of "motorized carts" could be used to define and include all self propelled vehicles allowed on the path system The ordinances would then be consonant with the statutory enabling legislation terminology

13 Fees – The $60 additional annual registration/user fee appears in apparent violation of O C G.A. 40-6-331 (b) limiting such fees to $15 The City Attorney should review and advise you concerning this issue

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[5] Speed capability for golf cars, PTVs, LSVs and other vehicles using the paths should be as determined in ANSI/NGCMA Z 130 1 (2004), *i.e.,* Horizontally level surface, 0.5% grade (0.3 degrees) maximum; straight course; concrete or asphalt surface of sufficient track length to allow the test vehicle to reach maximum speed before measurements begin; concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface;
The test vehicle shall be loaded with one operator and ballast, if necessary, with a combined weight of no less than 170 lb (77 kg) or more than 180 lb (82 kg).

[6] See, e.g., NGCMA Golf Course Safety Guidelines, www.ngcma.org.

[7] See ANSI Z535.1-1998 Safety Color Code; ANSI Z535-2-1998 Environmental and Facility Safety Signs; ANSI Z535-3-1998 Criteria for Safety Symbols; and ANSI Z535-4-1991 Safety Color Code.

[8] See Appendix A.

[9] The use of the word "carts" itself is an unfortunate anomaly A "cart" is properly defined as a wheeled vehicle that is pushed or pulled. Its usage in the context of golf cars (self propelled), LSVs or PTVs, is misplaced.

14 Inspections – The ordinance 78-92(b) requires inspection every two years of gasoline powered "carts " However, O C G.A. 40-6-331(b) precludes imposing inspection requirements of general law as to inspection It is recommended the City Attorney be requested to review the inspection requirement and to determine whether the inspection requirement is consistent with the state enabling legislation If yes, then consideration should be given as well to periodic inspection of electric powered motorized carts to determine whether they conform to the safety and performance specifications otherwise recommended herein and as adopted by amendments to the ordinance

15 Insurance – The 04/22/2004 Peachtree City Golf Cart and Recreation Path Information brochure recites that "Golf cart owners are strongly encouraged to check with their insurance agents and obtain golf cart insurance to protect themselves and their assets." However, no mention of insurance is described in the same brochure for "LSMVs." Ordinance 78-92(e) specifically recites LSMVs shall be insured according to state laws It is recommended the brochure be made consistent with the Ordinance by adding insurance requirements per state law to the LSMV Rules section Ordinance 78-97 merely recites "each person operating a golf cart on the recreation paths and pubic streets and those areas accessible by the public should verify their coverage " If a vehicle is operated on public streets, it may be required to be insured whether or not it is an LSV We recommend the City Attorney address this question

16 Nighttime operation – Ordinance 78-93(g) recites, - "Motorized carts may be operated over those authorized streets, recreational paths and those areas accessible by the public only during daylight hours unless such motorized carts are equipped with functional headlights and taillights." It is recommended the Ordinance specifically refer to SAE standards for taillights as set forth in SAE J585 for taillights and ANSI/NGCMA Z 135 (2004)[10] for headlamps, side reflectors and horn Consideration should also be given to requiring reflex reflectors, stop lamps, side marker lamps, tail lamps and turn signals and mandate their presence for motorized carts being used after daylight hours. Consideration should be given to defining "Daylight hours" in the ordinance consistent with state law, if any

17 Prohibited Uses – Consideration should be given to prohibiting "pocket bikes" and Segway Human Transporters in Ordinance 78-95 Alternatively, consider specifying users and allowed vehicles and transportation modes and exclude all others.

We are available for further assistance, as requested

Sincerely,

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[10] Two (2) headlamps shall be mounted on the front of the vehicle and disposed symmetrically about the centerline and separated as far apart as practicable. They should be mounted no less than 15 inches (381 mm) nor more than 50 inches (1270 mm) above the ground. See Tables I and II. It is recommended that each lamp be a single low beam or high/low beam and comply with the requirements of either Table I or II Alternative head lamp configurations that provide lighting equivalent to two (2) of the aforementioned head lamps will be acceptable.

Fred L. Somers, Jr
Secretary and General Counsel

cc: NGCMA Board of Directors
Theodore Paul Meeker III, Esq (via email to tmeeker@mail.newnanutilities.org)

Appendix A

Applicable State (Ga.) Statutes

O C G.A. 40-6-330
Motorized carts may be operated on streets only during daylight hours unless they comply with the equipment regulations promulgated by the commissioner of motor vehicle safety

O C G.A. 40-6-331
(a) A local governing authority may, by ordinance, designate certain public streets or portions thereof *that are under its regulation and control* for the combined use of motorized carts and regular vehicular traffic or the use of motorized carts and no other types of motor vehicles and establish the conditions under which motorized carts may be operated upon such streets or portions thereof, including without limitation the conditions under which a person may operate motorized carts on such designated streets or portions thereof without a driver's license
(b) Such ordinances *may establish operating standards but shall not require motorized carts to meet any requirements of general law as to registration, inspection, or licensing*; provided, however, that a local governing authority may, by ordinance, require the local registration and licensing of such carts operated within its boundaries for a fee not to exceed $15 00, the license to remain permanently with such cart unless such cart is sold or the license is destroyed *The provisions of this subsection and the authority granted by this subsection shall not apply to motorized carts owned by golf courses, country clubs, or other such organized entities which own such carts and make them available to members or the public on a rental basis, provided that such motorized carts are used only on the premises of such golf courses, country clubs, or other such organized entities.*
(c) *Ordinances establishing operating standards shall not be effective unless appropriate signs giving notice are posted along the public streets affected.*
(d)(1) Motorized carts may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose by the Department of Transportation
(2) Motorized carts may cross streets and highways that are part of a municipal street system or county road system and used by other types of motor vehicles only at

crossings or intersections designated for that purpose by the local governing authority having jurisdiction over such system *[Emphasis added].*

O C G.A. 40-1-1 (25 1) 'Low-speed vehicle' means any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles set forth in 49 C F R. Section 571.500 and in effect on January 1, 2001

O C G.A. 40-1-1 (32) 'Motorized cart' means every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which *cannot operate at more than 20 miles per hour. [Emphasis added].*

O C G.A. 40-1-1 (33) 'Motor vehicle' means every vehicle which is self-propelled other than an electric personal assistive mobility device (EPAMD) [11]

O C G.A. 40-1-1 (38) 'Operator' means any person who drives or is in actual physical control of a motor vehicle.

O C.G.A. (39) 'Owner' means a person, other than a lien holder or security interest holder, having the property in or title to a vehicle The term includes a person entitled to the use and possession of a vehicle subject to a security interest in or lien by another person but excludes a lessee under a lease not intended as security except as otherwise specifically provided in this title.

Appendix B

Peachtree City Ordinances

Sec. 78-91 Findings, definition
The city council finds that all streets and paved recreational paths located within the territorial boundaries of the city and under its jurisdiction are designed and constructed so as to safely permit their use by operators of motorized carts, electric bicycles, and low speed motor vehicle ("LSMV"), except as stated elsewhere in this article "Motorized carts" are defined as those electric and gasoline-powered pleasure carts, commonly called golf carts, which do not exceed 20 miles per hour "Electric bicycles" are defined as those single person bicycles powered by an electric motor which will not propel the bicycle at a speed in excess of 20 miles per hour on a flat surface carrying 150 pounds No other electric bicycles are authorized for use under this article. "LSMVs" are defined as those four-wheeled vehicles whose top speed exceeds 20 miles per hour but does

[11] O C G.A. 40-1-1 (15.6) 'Electric personal assistive mobility device' or 'EPAMD' means a self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

not exceed 25 miles per hour and which possess some mechanical, electrical or similar system other than merely decreased pressure on the accelerator wherein the vehicle's top speed can be prohibited from exceeding 20 miles per hour by the operator
(Code 1980, § 19-30, Ord No 757, 4-19-01, Ord No 779, 12-20-01)
Cross references. Definitions generally, § 1-2.

Sec. 78-92. Registration/inspection certification
(a) *Motorized carts.* It shall be the duty of every owner of a motorized cart that is operated over the recreation paths and streets and those areas accessible by the public to register the cart with the city within ten business days of the date of purchase Two numerical decals shall be issued upon registration, and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the police department. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The registration fee for motorized carts owned by city residents shall be $10 00, and the registration shall be effective until such time as the cart is sold or otherwise disposed of An annual registration/user fee of $60 00 shall be charged to nonresidents of the city The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of This nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership, unless the nonresident had previously paid the registration/user fee the same calendar year, in which case a one-time transfer fee of $5 00 would be applicable. Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of $5 00 and if the new owner is not a city resident, the nonresident registration/user fee for the balance of the year shall be due from the new owner If the registration is not transferred within ten business days, a $20 00 penalty will be applied in addition to the $5 00 transfer charge, and the cart shall be considered an unregistered cart after the ten business-day period.
(b) *Gasoline carts.*
(1) Every cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications
a The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer
b The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
c. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.
(2) It shall be unlawful for the owner of any cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, to render the device unserviceable by removal, alteration or which interferes with its operation
(3) Every two years, the cart must be inspected by a city golf cart dealer holding a valid city business license, and the dealer must certify that the exhaust system meets

the standards as stated in this article. This certification must be presented to the city within ten business days following the end of each two-year period, and the registration shall be renewed for an additional two-year period at no charge If the certification is not presented within ten business days, the gasoline cart shall be considered an unregistered cart.

(4) All gasoline carts purchased on or after September 1, 1993, must have a dealer certification in order to be registered, and after September 1, 1995, no gasoline-powered cart may be registered, renewed or transferred without dealer certification

(c) *Rental carts.* Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the recreation paths and streets and those areas accessible by the public of the city Each such establishment renting carts shall be required to register each such rental cart in accordance with subsections (a) and (b) of this section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a) and (b)

(d) *Age, number of registrants limited.* Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person

(e) *LSMV* No LSMV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the city unless it is legally registered and insured according to laws of the state

(Code 1980, § 19-31, Ord. No 779, 12-20-01, Ord No 786, 9-5-02)

Sec. 78-93 Operation regulations.

(a) Those persons who are 16 years of age and older may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city unless such person has had his or her license to operate a motor vehicle suspended or revoked by the state which issued said license in which case such person shall not be permitted to operate a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city during the time of suspension or revocation

(b) Those persons who are 15 years of age but not yet 16 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city·

(1) If he or she does not have in his or her possession a valid instructional permit issued by the state pursuant to O C G.A. § 40-5-24, as may be amended, and has not had his or her instructional permit suspended or revoked, then he or she shall be accompanied in the front seat by a person at least 18 years of age who holds a valid motor vehicle driver's license or he or she shall be accompanied in the front seat by a parent, grandparent or legal guardian, or

(2) If he or she has in his or her possession a valid instructional permit issued by the state pursuant to O C G.A. § 40-5-24, as may be amended, and is unaccompanied by a licensed driver as provided in subsection (b)(1), or is unaccompanied by a parent, grandparent or legal guardian as provided in section (b)(1), then he or she may be

accompanied in the vehicle by up to one other person who must be at least 15 years of age, or he or she may be accompanied by up to three immediate family members.
(c) Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in the front seat by a parent, grandparent or legal guardian
(d) No person under the age of 12 shall be permitted to drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city under any circumstances
(e) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths, streets and those areas accessible by the public in the city Where cart paths exist, they must be used in preference to parallel city streets with the exclusion of those cart paths privately owned and maintained by the Flat Creek and Braelinn clubs as part of the golf courses and not used by the general public.
(f) Motorized carts shall not be operated on sidewalks at any time
(g) Motorized carts may be operated over those authorized streets, recreational paths and those areas accessible by the public only during daylight hours unless such motorized carts are equipped with functional headlights and taillights
(h) No motorized cart shall be permitted to operate over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided
(i) It shall be unlawful for the owner of any motorized cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart or LSMV to operate or permit the operator of any motorized cart or LSMV to drive over the recreational paths, streets or those areas accessible by the public in the city in violation of this article
(j) LSMV Only persons possessing a valid license issued by the state, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the state may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the city
(k) No LSMV shall be permitted to operate on, over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided No LSMV shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour Except as prohibited above, LSMVs shall be permitted to cross over streets of which the posted speed limit exceeds 35 miles per hour
(Code 1980, § 19-32, Ord No 779, 12-20-01, Ord No 786, 9-5-02, Ord No 790, 9-19-02)

Sec. 78-94 Recreation path users--Authorized.
Authorized users of asphalt recreation paths and sidewalks are as follows:
(1) Pedestrians,
(2) Nonmotorized vehicles,

(3) Roller skates, roller blades and skateboarders (daylight only),
(4) Registered electric-powered golf carts,
(5) Registered gasoline-powered golf carts,
(6) Emergency and authorized maintenance vehicles,
(7) Bicycles, traditional and electric (as defined in section 78-91);
(8) Electric and conventional wheelchairs, and
(9) Electric vehicles designed to carry one person at a speed not to exceed 20 miles per hour except as prohibited in section 78-95
(10) LSMV provided that the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour
(Ord. No 757, 4-19-01, Ord No 779, 12-20-01)
Editor's note. Ord No 757, adopted Apr 19, 2001, repealed former § 78-94, and enacted a new § 78-94 as set out herein The former § 78-94 pertained to similar material See Code Comparative Table.

Sec. 78-95 Same--Prohibited uses
Prohibited uses of recreation paths are as follows.
(1) Automobiles and trucks (except authorized maintenance vehicles),
(2) Motorcycles;
(3) Street and trail motorized bikes or vehicles (not to include electric bicycles),
(4) Minibikes and mopeds,
(5) Horses,
(6) Go-carts;
(7) Un-registered electric-powered golf carts;
(8) Un-registered gasoline-powered golf carts,
(9) Electric or gasoline powered scooters, and
(10) Except as permitted in section 78-94, any vehicle designed by the manufacturer to go faster than 20 miles per hour under its own power on a flat surface
(11) Un-registered LSMV
(Ord No 757, 4-19-01, Ord No 779, 12-20-01)
Editor's note. Ord No 757, adopted Apr 19, 2001, repealed former § 78-95, and enacted a new § 78-95 as set out herein The former § 78-95 pertained to similar material See Code Comparative Table.

Sec. 78-96 Hazardous activities and special rules
(a) Paths are for transportation and public recreation by the various groups of permitted users No individual or group shall engage in hazardous activities on the paths and streets and those areas accessible by the public. Such hazardous activities, and the special rules pertaining to them, include but are not limited to the following
(1) Racing of any form, except for special events approved by the city; and
(2) Blocking of public access, except for special events approved by the city
(b) None of the prohibited users in section 78-95 shall use the path system or the bridges and/or their underpasses for any purpose whatsoever
(c) Pedestrians, skaters and permitted vehicles shall not loiter or park on recreation path bridges or in underpasses.

(d) Normal rules of the road shall apply to the recreation paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side of the path
(e) Pedestrians should be given due consideration and reasonable right-of-way by other users of the recreation paths to ensure them safe passage
(f) A warning or announcement shall be given by operators of golf carts and other users of the recreation paths, such as bicyclists and skaters, when approaching pedestrians from the rear This warning or announcement may be verbal, but it is recommended that bicyclists and golf cart operators equip their vehicles with a warning device such as a horn or bell Each user of the recreation paths shall be considerate of the safety and welfare of other users, and dangerous conduct will not be tolerated
(g) All laws and ordinances relative to alcohol and its use, including open container laws, which apply to traffic on the streets of the city also apply to the recreation paths
(h) All litter shall be deposited in the receptacles provided along the recreation paths or retained by the path user for proper disposal later Littering on the recreation paths shall be subject to twice the fines and penalties as littering on the streets.
(i) All users of electric bicycles shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric bicycle on the recreational paths
(j) No one under the age of 15 shall operate an electric bicycle on the recreational paths.
(k) Seat belts on LSMVs shall be worn by all occupants at all times the vehicle is moving
(l) All operators and passengers must remain seated at all times during the operation of the golf cart. No person may sit on the operator's lap during the operation of the golf cart.
(Code 1980, § 19-35, Ord No 757, 4-19-01, Ord No 779, 12-20-01, Ord No 786, 9-5-02)
Editor's note. Ord No 786, adopted September 5, 2002, enacted provisions intended for use as subsection (k) Because there are already provisions so designated, and at the discretion of the editor, said provisions have been redesignated as subsection (l)

Sec. 78-97 Liability
Each person using the recreation paths is liable for his own actions. Liability insurance coverage varies, and each person operating a golf cart on the recreation paths and public streets and those areas accessible by the public should verify their coverage
(Code 1980, § 19-36)

Sec. 78-98 Penalties.
(a) Any person who violates the terms of this article, except section 78-93(b), (c) or (d), shall be punished as provided in section 1-11, except that any fine for a littering offense shall be doubled

(b) Any violation of subsections 78-93 (b), (c), or (d) shall be charged against the registered owner of the motorized cart, and all fines and penalties shall be levied against the registered owner of he motorized cart as follows:
(1) For the first offense, a fine of not less than $250 00
(2) For the second offense, a fine of not less than $500 00
(3) For a third offense committed within one year of conviction for a second offense for a motorized cart, a fine of $1,000 00, and the registered owner's motorized cart registration shall be revoked The registered owner or family member cannot thereafter register a motorized cart for use in the city for a period of two years following the third conviction
(c) Any violation by an operator of a LSMV shall be charged against the operator according to the provisions of Title 40 of the Official Code of Georgia and this Code Any violation by an owner of a LSMV shall be charged against the owner according to the provisions of Title 40 of the Official Code of Georgia and this Code
(Code 1980, § 19-37, Ord No 779, 12-20-01)

Sec. 70-36 Use.
All persons using the path system in the city shall abide by the following rules and regulations·
(1) *Users of recreation paths:* As permitted under section 78-94
(2) *Prohibited users of recreation paths:* As prohibited under section 78-95
(3) *Special rules.* Paths are for transportation and public recreation No individual or group shall engage in hazardous activities on the paths Such hazardous activities shall include but are not limited to the following
a. Racing of any form, except for special events approved by the city
b Blocking of public access, except for special events approved by the city
c. None of the prohibited users (subsection (2)) shall use the path system bridges or underpasses for any purpose.
d. Pedestrians and vehicles shall not loiter on pedestrian bridges or in pedestrian underpasses.
(4) *Rules of the road*
a. Normal rules of the road apply to the paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path Passing shall be on the left side.
b Any vehicle using paths during darkness must use headlights and must have appropriate reflectors
c. Each user shall be considerate of the welfare and safety of other users. Dangerous conduct will not be tolerated
d. Littering on the paths shall be subject to twice the fines and penalties as littering on the streets. All litter shall be deposited in the receptacles provided
(5) *Liability* Each person using the paths is liable for his own actions.
(Code 1980, § 17-2; Ord No 757, 4-19-01, Ord No 797, 11-21-02)
Secs. 70-37--70-39 Reserved

Sec. 70-40 Generally

(a) It shall be unlawful to operate, drive, or in any manner cause to locate on the dirt trails and other nature trails which are marked with signs required in this section the following vehicles.
(1) An electric or gasoline powered golf cart;
(2) An electric or traditional bicycle,
(3) Automobile,
(4) Minibike,
(5) Moped;
(6) Go-cart; and
(7) Electric or gasoline powered scooter
(b) All trails which are governed by this section shall be marked with a sign at all points of entrance to the trail from parks and other recreational areas, streets, and recreation paths.
(c) The trails which are governed by this section are Flat Creek Nature Trail and Line Creek Nature Trail
(Ord No 759, 5-3-01)

Appendix C

PART 571 - FEDERAL MOTOR VEHICLE SAFETY STANDARDS
1 The authority citation for part 571 continues to read as follows
Authority· 49 U S C 322, 30111, 30115, 30166, delegation of authority at 49 CFR 1 50
2. Paragraph 571 3(b) is amended to add a definition of "low-speed vehicle" and to revise the definitions of "multipurpose passenger vehicle," and "passenger car," to read as follows
§ 571.3 Definitions.
* * * * *
(b) * * *
Low-speed vehicle means a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1 6 km (1 mile) is more than 32 kilometers per hour (20 miles per hour) and not more than 40 kilometers per hour (25 miles per hour) on a paved level surface
* * * * *
Multipurpose passenger vehicle means a motor vehicle with motive power, except a low-speed vehicle or trailer, designed to carry 10 persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation
* * * * *
Passenger car means a motor vehicle with motive power, except a low-speed vehicle, multipurpose passenger vehicle, motorcycle, or trailer, designed for carrying 10 persons or less.
* * * * *
3 A new section 571 500 is added to read as follows.
§ 571.500 Standard No 500; Low-speed vehicles.
S1 *Scope.* This standard specifies requirements for low-speed vehicles.

S2. *Purpose.* The purpose of this standard is to ensure that low-speed vehicles operated on the public streets, roads, and highways are equipped with the minimum motor vehicle equipment appropriate for motor vehicle safety

S3 *Applicability* This standard applies to low-speed vehicles.

S4 (Reserved)

S5 *Requirements.*

(a) When tested in accordance with test conditions in S6 and test procedures in S7, the maximum speed attainable in 1 6 km (1 mile) by each low-speed vehicle shall not more than 40 kilometers per hour (25 miles per hour)

(b) Each low-speed vehicle shall be equipped with.

(1) headlamps,

(2) front and rear turn signal lamps,

(3) taillamps,

(4) stop lamps,

(5) reflex reflectors one red on each side as far to the rear as practicable, and one red on the rear,

(6) an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,

(7) a parking brake,

(8) a windshield of AS-1 or AS-5 composition, that conforms to the American National Standard Institute's "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways," Z-26 1-1977, January 28, 1977, as supplemented by Z26 1a, July 3, 1980 (incorporated by reference, see 49 CFR 571.5).

(9) a VIN that conforms to the requirements of part 565 Vehicle Identification Number of this chapter, and

(10) a Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No 209, Seat belt assemblies, installed at each designated seating position

S6 *General test conditions* Each vehicle must meet the performance limit specified in S5(a) under the following test conditions

S6 1 *Ambient conditions.*

S6 1 1 *Ambient temperature* The ambient temperature is any temperature between 0 °C (32 °F) and 40 °C (104 °F)

S6 1.2 *Wind speed* The wind speed is not greater than 5 m/s (11.2 mph)

S6.2. *Road test surface*

S6.2.1 *Pavement friction* Unless otherwise specified, the road test surface produces a peak friction coefficient (PFC) of 0.9 when measured using a standard reference test tire that meets the specifications of American Society for Testing and Materials (ASTM) E1136, "Standard Specification for A Radial Standard Reference Test Tire," in accordance with ASTM Method E 1337-90, "Standard Test Method for Determining Longitudinal Peak Braking Coefficient of Paved Surfaces Using a Standard Reference Test Tire," at a speed of 64 4 km/h (40 0 mph), without water delivery (incorporated by reference, see 49 CFR 571.5)

S6.2.2. *Gradient.* The test surface has not more than a 1 percent gradient in the direction of testing and not more than a 2 percent gradient perpendicular to the direction of testing
S6.2.3 *Lane width* The lane width is not less than 3 5 m (11 5 ft)
S6 3 *Vehicle conditions.*
S6 3 1 The test weight for maximum speed is unloaded vehicle weight plus a mass of 78 kg (170 pounds), including driver and instrumentation
S6 3.2. No adjustment, repair or replacement of any component is allowed after the start of the first performance test.
S6.3.3 *Tire inflation pressure* Cold inflation pressure is not more than the maximum permissible pressure molded on the tire sidewall
S6 3 4 *Break-in* The vehicle completes the manufacturer's recommended break-in agenda as a minimum condition prior to beginning the performance tests.
S6 3 5 *Vehicle openings.* All vehicle openings (doors, windows, hood, trunk, convertible top, cargo doors, etc.) are closed except as required for instrumentation purposes
S6 3 6 *Battery powered vehicles* Prior to beginning the performance tests, propulsion batteries are at the state of charge recommended by the manufacturer or, if the manufacturer has made no recommendation, at a state of charge of not less than 95 percent. No further charging of any propulsion battery is permissible
S7 *Test procedure* Each vehicle must meet the performance limit specified in S5(a) under the following test procedure The maximum speed performance is determined by measuring the maximum attainable vehicle speed at any point in a distance of 1 6 km (1 0 mile) from a standing start and repeated in the opposite direction within 30 minutes.
* * * * *

PART 581 - BUMPER STANDARD

4 The authority citation for part 581 is revised to read as follows:
Authority· 49 U S C 322, 30111, 30115, 32502, 32504, delegation of authority at 49 CFR 1.50
5 Paragraph 581 3 is revised to read as follows
§ 581 3 Application
This standard applies to passenger motor vehicles other than multipurpose passenger vehicles and low-speed vehicles as defined in 49 CFR part 571 3(b).
Issued on June 9, 1998
/S/
Ricardo Martinez, M D
Administrator
Billing Code 4910-59-P
[Signature page for RIN 2127-AG58]
(Final Rule)

Appendix D

Modified carts face modified rules

By JOHN MUNFORD
jmunford@TheCitizen.com

Having gone back to the drawing board, the initial changes to Peachtree City's golf cart ordinance may not be as Draconian as the original proposal

The changes have not been finalized yet, but they will be discussed at the City Council meeting Thursday, Oct. 20 at City Hall at 7 p m

Among the tentative changes being considered by city staff·

• Off-road vehicles will be expressly banned from the cart paths, which technically they already are, according to city spokesperson Betsy Tyler

• Carts must meet manufacturer's safety requirements for stability, frame strength and braking capacity

• A height, width and frame raise not to exceed specified numbers, which have not yet been determined. The figures will be set after getting more input from local golf cart dealers, Tyler said

• The current speed limit on the golf cart paths of 20 mph would stay unchanged, Tyler added.

The changes are being proposed to improve safety on the golf cart paths, Tyler said, noting they are used by pedestrians, cyclists, golf carts and the almost-golf cart-like "low speed motor vehicles."

"We have a lot of sharp curves and a lot of trees," Tyler said "That's when the speed, height and width of carts come into play "

Tyler estimated that 95 percent of city residents use the cart path system and 75 percent of residents own golf carts.

Efforts are being made to make sure the proposed ordinance would not create a hardship on golf cart owners, she added For example, side view mirrors added to many golf carts in town will not count in the measurement of a cart's width, Tyler said

As of Tuesday afternoon, the proposed changes were being reviewed by City Attorney Ted Meeker, Tyler said. More input was still needed from golf cart dealers as well

It's the off-road type vehicles that are causing some of the problems on the path system. Had the Peachtree City Council outlawed all golf carts modified beyond the manufacturer's specifications, as proposed nearly two weeks ago, thousands of golf carts would be out of compliance, according to local cart dealers and mechanics.

So many residents have had their factory motors replaced by more powerful motors, just so their golf carts can make it up some of the steeper hills in the path, dealers and mechanics have said

John Stern of John's Golf Car Service noted that golf carts are manufactured to carry two people and two sets of clubs. Carts coming from the factory don't come with motors designed to handle four people as many of the golf carts in Peachtree City are, much less get those golf carts up some of the large hills on the city's 80-plus miles of cart paths

Stern said he has installed "hundreds" of higher-powered motors in local residents' golf carts, mainly because they complain about the slow uphill performance of the factory-installed motor Many of those motor upgrades are for cart owners on the north side of town, particularly in the Kedron Village area, because it is so hilly, he said

The size of the passengers can also affect the performance of a golf cart motor, Stern added

Most of the motors Stern installs in golf carts will go between 18 and 20 mph But two carts he upgraded involved engines powerful enough to make a golf cart go more than 25 mph, he said In both cases, the owner of the cart is the only one driving it, and the drivers are in their 50s or 60s, he said

The speed limit on the cart path is 20 mph according to city ordinance

"I make them sign a release form," Stern said, adding that he advises them to drive cautiously and "don't floor it and go around the corners "

Stern says he warns customers about the increased power of the motors and particularly for those which can go 25 or more, he tells the owner never to "floor it."

His other advice? "You should never keep your foot on the gas pedal going down a hill " But some golf cart drivers do it anyway, he said

It is up to the individual driver to make the decision to drive responsibly, Stern said, adding that he wants police to patrol the paths better

Some of the newer golf carts can be programmed to go no more than 19 6 mph, Stern said

"That's almost too fast for some of the kids that get out there," Stern cautioned, quickly adding that it's not just teenagers who drive carts recklessly This weekend a guy in his late-30s came "flying around the corner" on a curve in the path, causing Stern to run his truck off the path. It upset Stern that the man was driving recklessly with his young son in the front seat.

On many sections of the golf cart paths, the pavement has become bumpy due to root intrusions so much that going 20 mph "would jar your teeth loose," Stern added

In fact, Stern has seen many more carts come into his shop for suspension repairs lately

Stern said he has seen a growing number of "stretch" golf carts on the paths over the past several years, from four-seaters modified with an extra two seats to carry six persons, to four-seaters modified so the rear passengers can face forward, which he thinks is a good idea.

Part of the danger on the cart paths is, after all, for rear-facing back seat passengers who are unaware there may be a sharp curve ahead, Stern added

Stern is proud of his Club Car cart, modified with a new body that makes it look like a miniature Dodge Ram truck. It has been modified to be an extra four inches taller with a special kit, but Stern estimates there are "maybe less than 50" throughout the city that have had such height changes.

The original set of proposed regulations almost certainly would have kept Stern's cart, and others like it, off the city's golf cart path system

That's not a bad idea, according to Peachtree City resident Aline Rowell, a senior citizen who lives near McIntosh Trail Rowell said a "monster" style golf cart nearly ran over her one day while she was walking her dog on the path system

"It scared me," she said. "The golf cart was going way too fast and he was up too high It was a monster-looking thing "

Many seniors rely on the cart paths for walking and exercise, Rowell noted.

"I'm not knocking old folks, but we're not as agile as we used to be," Rowell said. "If you have one of those things coming around the curve, and there you are, what do you do? Do you go left or right?"
Rowell saw the same "monster" cart and driver later on, and she made sure to tell him "You're too big, you're too ugly, and you're too fat." Although she didn't specify it at the time, she was talking about the man's golf cart, not the driver himself
"The next time I saw him, he said, 'This is a golf cart. What are you going to do about it?'" Rowell noted
Such golf carts have no business being on the path system for safety reasons, Rowell added
Stern said viewing a golf cart such as his "truck-cart" from the front, the body frame is so different from that of a regular factory golf cart that it does appear to be much higher off the ground than it actually is And Stern's cart doesn't have a roof on it, so damaging cart path tunnels isn't a factor
Stern insists his cart is safe, though the extra height means he has to use more caution in operating it. He compared the difference as being similar to driving a regular car and driving a large sport utility vehicle.
Stern added that he doesn't use his cart, called a Ramcota, for off-roading or the like

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Appendix E

PEACHTREE CITY
Residents express shock over first golf cart death
By KATHY JEFCOATS
The Atlanta Journal-Constitution
Published on 09/29/05
Peachtree City residents were shocked last week when a woman died after falling from a golf cart along one of the town's 90 miles of paved paths.
"I hadn't heard anything about that, and it gives me cause for concern about golf cart safety," resident Ronny Gonzalez said Friday He and his wife Marta own a cart with a governor that holds speeds to 15 mph
Peachtree City police said Debra Overholt, 36, of Tyrone is the first person killed in a golf cart accident in the town's 46-year history
Overholt was a passenger in a cart driven the afternoon of Sept. 22 by her brother-in-law, Luis Sanchez-Montanez, 40, of Peachtree City After crossing the cart bridge over Ga. 54, Sanchez-Montanez made the first left turn toward City Hall and Overholt fell out of the cart and onto the asphalt, Sanchez-Montanez said
Overholt died later at a hospital from head injuries, police said The result of an autopsy completed Saturday by the Georgia Bureau of Investigation had not been released early this week. Overholt leaves a husband, Rich, and 3-year-old son, Reece
The accident prompted residents to wonder whether seat belts should be mandatory for golf carts City golf cart regulations don't require them

Indiana transplants Tom and Delta Nordhorn retired to Peachtree City because they were attracted to the golf cart lifestyle.
"We have seat belts in our golf cart because our daughter insists our granddaughter, Audrey Ericksen, who is 1, ride in a car seat," Tom Nordhorn said
"But we've seen a lot of babies who aren't in car seats," his wife countered
Eve Mickelson of Peachtree City, who regularly belts up in her car, said she finds it hard to get used to not having seat belts in her golf cart.
"I think anything that goes more than 5 mph needs to have seat belts," Mickelson said
"I also think the majority of drivers need to take golf cart lessons. People just think, well, they don't think. You gotta be careful "
Rich Overholt said he does not blame Sanchez-Montanez, who was emotionally distraught following the accident. Police have not charged Sanchez-Montanez, saying the incident remains under investigation
According to city records, more than 9,000 golf carts are registered to households in this town of 38,000 Founded in 1959, Peachtree City has never before recorded a golf cart-related death, officials said

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Appendix F

Extract from SAE J2258

7 3 6 OCCUPANT PROTECTIVE SYSTEMS (OPS)

7 3.6.1 Occupant Protective Structures and seat belt assemblies shall be provided with Light Utility Vehicles that can be so configured and loaded per the manufacturer's recommendations such that the maximum operation speed (as determined per 7 7) and the lateral stability (as determined per 7 8) fall within the area defined on Figure 2a as "OPS Required"
7 3.6.2 Seat belts shall not be installed on Light Utility Vehicles unless they have Occupant Protection Structures.

7 3.6.3 Light Utility Vehicles fitted with seat belt assemblies shall conform to the following standards SAE J1 14, SAE J140, SAE J141, and SAE J339 Seat belt geometry shall conform to SAE J383, and meet the test requirements of SAE J384

7 3.6.4 Each seat belt anchorage shall be capable of withstanding a static tensile force of 2224 N (494 lb) at 45 degrees to the horizontal Where suspension seats are used, the seat belt assemblies shall accommodate the ride motion of the occupants If seat belt assemblies are attached to the seats, the seat mounting shall be capable of withstanding this force, plus a force equal to four times the force of gravity, on the mass

of all applicable seat components applied 45 degrees to the horizontal in a forward and upward direction

7 3.6.5 Occupant Protection Structures shall meet the requirements of Roof Crush Resistance as stated in the following sections

7 3 6.5 1 Requirements—A test device as described in 7 3 6 5.2 shall not move more than 127 mm (5
in) measured in accordance with 7 3 6 5 3 4 when it is used to apply a force of 1 5 times the unloaded vehicle weight of the vehicle or 2268 kg (5000 lb) whichever is less to either side of the forward edge of the vehicle's roof in accordance with the procedures of 7 3.6 5 3 oth the left and right front portions of the vehicle's roof structure shall be capable of meeting the requirements. but a particular vehicle need not meet further requirements after being tested at one location

7 3 6 5.2 Test Device—The test device is a rigid unyielding block with its lower surface
rectangle 762 mm x 1829 mm (30 inches x 72 inches).

7 3 6.5 3 Test Procedure—Each vehicle shall be capable of meeting the requirements of
when tested in accordance with the following procedure

7.3 6.5 3 1 Place the chassis frame of the vehicle on a rigid horizontal surface, fix the vehicle position close all windows. close and lock all doors and secure any convertible top or removable roof structure in place over the passenger compartment.

7 3 6.5 3.2 Orient the test device as shown in Figure 2b, so that:

a. Its longitudinal axis is at a forward angle (side view) of 5 degrees below the horizontal, parallel to the vertical plane through the vehicle's longitudinal centerline

b Its lateral axis is at a lateral outboard angle in front view projection. of 25 degrees below horizontal

c. Its lower surface is tangent to the surface of the vehicle and
lower surface of the test device and 254 mm (10 inches) from the forward-most point of that centerline.

7.3.6.5.3.3 Apply force in a downward direction perpendicular to the lower surface of the test a rate of not more than one-half inch per second until reaching a force of 1.5 times the unloaded vehicle weight of the tested vehicle or 2268 kg (5000 lb), whichever is less. Complete the test within 120 seconds. Guide the test device so that throughout the test it moves, without rotation, in a straight line with its lower surface oriented as specified in 7.3.6.5.3.2a through 7.3.6.5.3.2d.

7.3.6.5.3.4 Measure the distance that the test device moves, i.e., the distance between the location of the lower surface of the test device and its location as the force level specified in 7.3.6.5.3.3 is reached.

Appendix G
Extracts from NGCMA Golf Course Safety Guidelines

Dead end golf car paths on slopes should provide a turn around area adequate to turn the car around without backing up

To reduce the possibility of an accident, avoid creating a situation where the golf car must be put in reverse.

Curbing should be avoided adjacent to golf car paths to avoid potential injury to golf car occupants upon leaving the vehicle If necessary to protect growing or damaged turf, the use of temporary barriers is desired, the barrier should be comprised of flexible, soft material and conspicuously marked

Golf car paths should have warning signs located in advance of a descent if the grade is greater that 10% [6]

When descending golf car paths, use service brake to control speed

Paved grades greater than 25% are not recommended. It is recommended unpaved grades should be less than 15%. Inattention, lack of operator skill and fear can result in poor decisions and loss of control while on steep grades. Traction on unpaved surfaces, especially when wet, is much lower than on paved surfaces. It is preferable to have golf car paths paved with concrete or asphalt with high traction finishes. Loose gravel, debris, or materials with low traction characteristics should be avoided If speed bumps are used, place them on level terrain prior to descent of golf car path. Use of speed bumps on grades may cause loss of operator control

[6] *i.e.*,one foot vertical descent per 10 feet (one meter descent per 10 meters) declination

Loose debris should not be on the golf car path. Loose material can result in hazardous situations or loss of control of the golf car Each morning prior to course play, and after storms, golf car paths should be routinely checked for leaves, limbs, and other debris that may collect after a storm, at night or as a result of construction activity

Golf car path bumps, potholes and other damaged areas should be repaired promptly Potholes bumps and other damaged areas should be repaired to avoid potential for loss of control of the car

Golf cars should not be operated on side slopes greater than 15%. Steep slopes contribute to operator fear and poor judgment that could result in loss of control.

Intersections should be controlled with stop signs. A stop sign will slow the traffic and may reduce the probability and the severity of an accident.

Avoid decreasing radius curves. Operators who are focused on golf may not notice the reduction in turning radius soon enough to slow to a safe speed on a decreasing radius curve

Golf car paths should not have negative super elevations (, *i.e.*, sloped downward toward the outside of a curve). Super elevations on golf car paths should be limited to 4% (1/2 inch per foot) or less on straight sections of the golf car path. Positive super elevations on curves should be reviewed with risk management consultants or a civil engineer

Bumps, drains, bridges, stumps, tight curves and other hazards should be clearly marked. Use of smaller versions of standard signs used by the state highway department and complying with ANSI Z535-1, 2 , 3 and 4 can make information easy to recognize.

Standing water should be drained from the golf car path. To avoid loss of golf car control, maintain golf car paths free of standing water

Streams should not be forded if the stream is more than 2 inches (5 centimeters) deep to avoid getting the brakes wet. Wet brake shoes/pads take time to dry and resume full effectiveness.

Golf car paths should be at least 6 feet (1.8 meters) wide and over 12 feet (3.6 meters) wide where golf cars are traveling in both directions. Golf car paths should be 12 inches (30 centimeters) wider on curves. Proper golf car path widths reduce golf car damage and personal injury due to collisions or loss of control.

Golf car paths should avoid crossing the line of play, and avoid normal golf ball landing areas The traffic direction should be away from the direction of play The preferred location for golf car paths is parallel to and at some distance from the fairway

Guardrails should be provided where golf car paths are in close proximity to or traverse lakes, streams, ravines, bridges, and steep slopes. All stair steps, bridges and ramps should be equipped with 42 inches (107 centimeters) high handrails. Bridges and ramps used by golf cars should have rub rails at the same height as the center of the tires on the golf cars and a containment rail at 16 inches (40 centimeters) above the surface. Any walking area that potentially results in a 48 inch (122 centimeter) fall should have a handrail 42 inches (107 centimeters) high.

.05 Parking Areas.

Golf Car parking areas[7] should be situated on an approximately level plane, *i.e.*, on a slope of less than 5% grade. Provide markers to encourage operators to leave a sufficient space between golf cars to ensure safety and access.

[7] *i.e.*, any location where a golf car is to be left unattended

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Councilmembers**

VIA: **City Manager**

FROM: **Director of Leisure Services**

DATE. **October 10, 2005**

SUBJECT **Recommendation Re: Pesticide Use on Sports Fields (October 20, 2005 Council Meeting)**

Recommendation: Staff recommends that only minimal herbicide, insecticide or fertilization applications be made to the sports fields, based on turf health or the presence or indications of weeds or insects, until we can conduct thorough research into use of synthetic versus organic products.

For the Fall application cycle (Sept-Dec), this will mean two half-rate applications of pre-emergent herbicides and full application of post-emergents. This means that instead of making one application of the full amount of pre-emergent herbicide called for, we will only apply half the amount over two applications about five to six weeks apart. This not only reduces the amount of herbicide being used each time, but it also extends the effectiveness over a longer period of time. These products are: Barricade (pre-emergent, at an application rate of about a pint per acre, diluted in 88 gallons of water; Tripower (post-emergent, broad leaf weed control, at an application rate of about 3 pints per acre, diluted in 88 gallons of water; and 0-0-62, which is potash, a fertilizer used for root development, at a rate of about 27 pounds per acre). All these products are applied in compliance with product labeling, which is registered by the EPA.

This process will be repeated during the spring season, from Jan-March. The products to be used in Spring are: Barricade at the same rate as in the fall season, (diluted in 88 gallons of water), Tri-Power at the same rate as in fall, and 17-0-5, a liquid fertilizer used for plant hardiness, at a rate of about 20 gallons per acre, diluted in 88 gallons of water. For the second half of the spring application, everything is the same except the fertilizer rates, which change to about 51 gallons per acre diluted in 88 gallons of water to promote hardiness of the Bermuda grass.

I should note that this level of application wouldn't guarantee completely weed-free fields, especially after not having made applications to the fields for over a year. However, it should be enough to keep the fields in safe playing condition. Also, we will continue with one week pre-notification to sports associations of applications and large signage on the fields to coincide with applications. We will continue to encourage associations to recognize the State Dept. of Agriculture guideline for re-entry, which is a minimum of 24 hours after applications have been made before fields are used.

In the meantime, request that Council allow staff to continue with its research and investigation into alternate methods of turf management, as outlined below

Discussion: In accordance with Council guidance, staff is currently working with United Consulting and Dennis Chase to establish a protocol for testing the water and sediment in the irrigation pond at the South 74 Baseball/Soccer Complex (BSC). We have provided United Consulting with current storm water testing results in that area and they have a report from 1995 testing they did at the BSC irrigation pond. Based on these reports and discussion with Mr Chase, the UC water quality specialists will determine what sort of testing is appropriate at this time and what that cost will be. Staff will request funding from Council Contingency and conduct the testing.

At the same time, I have been establishing contacts with appropriate UGA staff and other sources specializing in organic and synthetic turf management and related fields in an effort to determine best practices in caring for our sports fields and ensuring a safe environment for our children to engage in youth sports.

I have personally contacted the following people and discussed the issues with them. Dr Paul Guillibeau, UGA Coordinator of Integrated Pest Management and Pesticide Programs, University of Georgia Cooperative Extension Service, Dept of Entymology; Julia Gaskin, UGA Land Application Specialist, soil scientist; Dr. Tim Murphy, UGA, Extension Weed Scientist, Griffin; Dr. Gil Landry, UGA Professor of Turfgrass Management; Gary Vaughn, Pesticide Field Supervisor, Georgia Dept. of Agriculture; John Clerici, P.E., senior environmental consultant and David Huetter, senior environmental consultant at United Consulting; Dennis Chase, retired fishery biologist with the U.S Fish and Wildlife Division; as well as representatives of private industry working with turf care products, both synthetic and organic.

After many hours of conversations with these experts over the past two weeks, and other related work over the past year, the one clear revelation is that there is not a clear and simple answer to the question of whether or not use of organic products on the sports fields will provide a safe and effective replacement for the current synthetic products being used. For every option, there is a set of qualifiers that lead to other questions. For every potential solution there are downsides that must be considered. It will take time to sort through the layers of facts and opinions and arrive at a balanced solution that will yield maximum effectiveness and safety

Once I've identified the key information sources who can provide input on the issues we face, I propose to organize at least one public workshop-style panel discussion. It will be open to anyone who has an interest in this topic. The panel (at this point in time) would consist of appropriate representatives from UGA, the Georgia Department of Agriculture, the turf management industry and environmental control consultants. I will ensure there are sources

knowledgeable in IPM (Integrated Pest Management) and PHCP (Plant Health Care Program). These are two mutually supporting programs that we should work towards, either singly or in tandem. **IPM** is the use of chemical, biological and cultural controls in an organized attempt to prevail in harmony with the native surroundings to reduce the pest population, with emphasis on synchronizing these approaches with the natural environment to cause the least amount of disruption to ecological systems. **PHCP** has been described as a "proactive approach" to pesticide reduction in turf management. The basic idea behind the program is that healthy, vigorous plant growth is less susceptible to disease and pest invasion, which reduces the demand for pesticides.

I anticipate that the audience for this workshop will contain not only interested parents but also representatives from the commercial turf management business, both traditional and organic. Through the interchange of questions and information I hope to provide a forum that educates us and helps us to develop an informed approach. Due to the complex nature of the subject material, this could be a half-day or more and could involve more than one session.

Once staff has the opportunity to gather logical data, we can prepare a coherent recommendation for future best practices.

Budget Impact: Immediate: funding of approximately $2,800 to $4,000 will be needed for water testing. Staff would request this funding from the Council Contingency fund. Mid-range: some funding may be required for experimental procedures with various products. Long-range: the cost of the final solution is yet to be determined.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager**

DATE: **October 14, 2004**

SUBJECT **Citizen Request to Address Council – Report on Highway 74 Police Department site and discussion of certain allegations by Mayor Steve Brown relative thereto**
October 20, 2005, City Council Meeting

Per Section 2-33 of the Peachtree City Code of Ordinances, Bob Lenox has requested this item to be added to the agenda for discussion. Mr Lenox indicated he would like to deliver a history of the transaction (10 minutes or less) and pose several questions to Mayor Brown regarding comments made concerning the site.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO· **Mayor and Council Members**

FROM. **City Planner** David

VIA: **City Manager**
Developmental Services Director
Financial Services Director PS

DATE. **October 11, 2005**

SUBJECT **Adoption of LCI Report of Accomplishments and 5-year Action Plan**
October 20, 2005 City Council agenda

Recommendation.
Staff recommends that Council adopt the proposed 5-year Action Plan for projects identified within our Livable Centers Initiative (LCI) study of the GA 54 West Corridor and authorize Staff to forward this document and the Report of Accomplishments to the Atlanta Regional Commission (ARC) for review

Discussion.

The LCI program is entering its 6th year of planning studies. One of the requirements of this program is that each community develop and implement a 5-year Action Plan for all projects identified within the completed study Peachtree City solicited and was awarded LCI funding in 2000 to develop a master plan to guide development within the GA 54 West Corridor Many of the projects identified within that 5-year Action Plan have been implemented or are currently under construction. The status of these projects is identified in the Report of Accomplishments (Attachment "A").

ARC realized that planning and implementation of each LCI project would be a long-term process, and has provided funding to many communities to assist in implementing various elements of their plan. The initial 5-Year Action Plan identified a proposed timeframe for implementing each of the projects identified within our study Our new 5-year Action Plan (Attachment "B") will ensure the continued implementation of these projects and the successful completion of our LCI project.

Budget impact:
Funding for the active projects within the 5-year Action Plan has been included in the recently adopted General Fund Budget, the Public Improvements Budget, or within the SPLOST project list. Additionally, Staff is actively pursuing various grants to assist with funding many of these projects.

Attachments

REPORT OF ACCOMPLISHMENTS

Peachtree City LCI

10/11/2005

Project	*Description*	*Engineering/ Study Year*	*Construction Year*	*Complete*	*Underway*	*Not Started*	*Not Relevant*	*Notes*
Multi-use paths								
SR 54 multi-use tunnels (east and west side of rail line)	Installation of multi-use tunnels under SR 54 on both sides of active CSX rail line	2003	2005	X (Design)	X			being installed as a part of SR 54 W road-widening project
CSX RR/ SR 54 W multi-use path connections (FA-AR-180)	Installation of multi-use path connections from multi-use tunnels to multi-use bridge	2005	2006		X			one quadrant being installed by developer/ 3 quadrants to be designed and constructed with LCI Construction funding
SR 74 N multi-use tunnel (FA-AR-183)	Installation of multi-use tunnel under SR 74 connecting Market Place to Westpark	2005	2007			X		design and construction funded with LCI Construction grant will be incorporated in SR 74 road-widening project
SR 74 S (Paschal Road) multi-use tunnel	Installation of multi-use tunnel underneath SR 74 connecting multi-use path system on north and south sides of road	2005	2007			X		GA DOT agreed to fund 80% and include design in SR 74 road-widening project
Planterra Way – Huddleston Road multi-use path	Installation of multi-use path connection from Planterra Way to Huddleston Road			X				project completed and funded by City as part of Tennis Center expansion
Planterra open space connection	Installation of multi-use path from Planterra Ridge open space to existing multi-use path						X	project deleted due to duplication of existing path connection
SR 54 multi-use bridge/ gateway feature (FA-AR-179)	Installation of multi-use bridge/ gateway feature at west entrance to city	2005	2007			X		design and construction funded with LCI Construction grant design underway
SR 54 – Line Creek Nature Area multi-use path	Installation of multi-use path connection from SR 54 multi-use bridge/ gateway feature to Line Creek Nature Area		2007			X		multi-use system master plan identifies funding in FY 07 General Fund
SR 54 – Planterra Ridge amenity area multi-use path	Installation of multi-use path from Planterra Ridge amenity area to SR 54		2007			X		multi-use system master plan identifies funding in FY 07 General Fund

Attachment "A"

REPORT OF ACCOMPLISHMENTS

Peachtree City LCI

10/11/2005

Project	Description	Engineering/ Study Year	Construction Year	Complete	Underway	Not Started	Not Relevant	Notes
Roads								
Huddleston Rd./ Home Depot secondary road	Internal road connection on north side of SR 54 interconnecting all parcels to alleviate traffic on SR 54 W		2004	X				designed/ funded/ constructed entirely by developer
Days Inn/ Planterra Way secondary road	Internal road connection on south side of SR 54 interconnecting all parcels to alleviate traffic on SR 54 W					X		working with developers to incorporate road into their plans for re-development of this corridor
Roundabout at Planterra Way/ secondary road on south side of SR 54	Design traffic calming measures on Planterra Way to interconnect to proposed access road					X		Potentially included in site plan when development occurs on south side of road
Roundabout at Planterra Ridge amenity	Design traffic calming measures on Planterra Way to discourage cut-through traffic					X		Project being analyzed as part of update to City's Transportation Plan
Roundabout at Line Creek/ secondary road	Potential traffic calming may be incorporated into development of this tract					X		Potentially included in site plan when development occurs on south side of road
Redesign tennis center entrance	Realignment of existing entrance drive to align with proposed secondary road					X		Potentially included in site plan when development occurs on south side of road

REPORT OF ACCOMPLISHMENTS

Peachtree City LCI

10/11/2005

Project	*Description*	*Engineering/ Study Year*	*Construction Year*	*Complete*	*Underway*	*Not Started*	*Not Relevant*	*Notes*
Aesthetic enhancements								
SR 54 W median planting	final phase of overall SR 54 streetscape enhancement project			X (Design)		X		applied for TE funding to assist with design and installation
SR 54 W ROW planting	design complete to be implemented by land owner as each development is approved			X (Design)				City funded design each developer to install as property is developed
SR 54 W gateway feature	installation of landscaping, signage and lighting to identify entrance into Peachtree City/ SR 54 West corridor					X		design will be incorporated into design of bridge and gateway feature funded with LCI Construction grant
Enhancements to cemetery	Landscaping and fencing at existing Line Creek cemetery			X (Design)	X			designed/ funded/ constructed by developer
Utilize stamped asphalt at all crosswalks	All internal pedestrian crosswalks will utilize stamped concrete or asphalt			X (Design)	X			included in GA 54 West Design Guidelines
New landscaping at Planterra Ridge subdivision entrance	Replace existing signage and landscaping at subdivision entrance					X		applied for TE funding to assist with design and installation
Decorative signal poles/ mast arms	Utilize decorative signal poles and mast arms in lieu of strain wire and concrete poles			X (Design)	X			GDOT agreed to include specification in construction plans for road-widening project
Develop architectural guidelines	Implement design guidelines for all development within GS 54 West Corridor			X				City adopted GA 54 West Corridor Overlay District and Design Guidelines for all development in corridor
Bury power lines within corridor	Request utility companies and GA DOT to bury all utility lines within SR 54 W corridor						X	Due to extensive rock and cost, utility companies unable to bury power lines
Signage, banners, street furniture	Signage and furniture guidelines identified within GA 54 West Design Guidelines			X				Included in GA 54 West Design Guidelines and will be funded by developers

REPORT OF ACCOMPLISHMENTS

Peachtree City LCI

10/11/2005

Project	*Description*	*Engineering/ Study Year*	*Construction Year*	*Complete*	*Underway*	*Not Started*	*Not Relevant*	*Notes*
Land Use/ Housing Initiatives								
None								

Other Local Initiatives								
Adopt GA 54 West Corridor Overlay District	Establish City's first Overlay District to guide development and re-development within emerging SR 54 W corridor	2004	NA	X				Worked with GA 54 West Advisory Board for many months to establish master plan and design guidelines for corridor
Adopt GA 54 West Design Guidelines	Adopt architectural program for all new development within SR 54 W corridor	2004	NA	X				Worked with GA 54 West Advisory Board for many months to establish master plan and design guidelines for corridor
Coordination with GA DOT	Coordination with GA DOT to ensure LCI projects included in construction plans for SR 54 W/ SR 74 S road-widening projects	2003	2005	X	X			Continuous involvement with GA DOT to ensure LCI projects included in road-widening plans

FIVE YEAR ACTION PLAN
Peachtree City LCI
10/11/2005

Transportation Projects

Description	*Type of Improvement*	*Engineering*		*ROW*		*Construction*		*Total Project Costs*	*Responsible Party*	*Funding Source*	*Local Match*	
		Year	*Cost*	*Year*	*Cost*	*Year*	*Cost*				*Source*	*Amount*
Multi-use path system												
Install multi-use tunnel under SR 74 connecting Market Place and Westpark	Pedestrian (multi-use)	2005	City (Qk4)	NA	NA	2007	$465,000	$465,000	City	City/ LCI Const.	SPLOST	$105,000
Install multi-use tunnel under SR 74 S connecting multi-use path system on north and south sides of road	Pedestrian (multi-use)	2005	GA DOT	NA	NA	2007	$547,000	$547,000	City/ GDOT	City/ GDOT	SPLOST	$109,400
Install multi-use bridge/ gateway feature at west entrance to city	Pedestrian (multi-use)	2005	City (Qk4)	2006	NA	2006	$618,200	$618,200	City	City/ LCI Const.	SPLOST	$138,200
Install multi-use path from multi-use bridge/ gateway feature to Line Creek Nature Area	Pedestrian (multi-use)	2007	City Staff	NA	NA	2007	$32,500	$32,500	City	City	General Fund	$32,500
Install multi-use path from Planterra Ridge amenity area to SR 54	Pedestrian (multi-use)	2007	City Staff	NA	NA	2007	$50,000	$50,000	City	City	General Fund	$50,000
Roads												
Install secondary road from Days Inn to Planterra Way	Transportation	NA	NA	NA	NA	NA	NA	NA	Developer	Developer	None	$0
Install roundabout at Planterra Way/ secondary road	Transportation	NA	NA	NA	NA	NA	NA	NA	Developer	Developer	None	$0
Install roundabout at Planterra Ridge amenity area	Transportation	NA	NA	NA	NA	NA	NA	NA	City	City	Public Improvement Program	TBD
Install roundabout at Line Creek Drive/ secondary road	Transportation	NA	NA	NA	NA	NA	NA	NA	Developer	Developer	None	$0
Redesign tennis center entrance	Transportation	NA	NA	NA	NA	NA	NA	NA	City	Developer	None	$0

FIVE YEAR ACTION PLAN
Peachtree City LCI
10/11/2005

Aesthetic												
SR 54 W landscape and streetscape enhancements	Aesthetic	2006	City	NA	NA	2007	$300,000	$300,000	City	City/ TE grant	Public Improvement Program	$60,000

Totals		**$0**		**$0**		**$2,012,700**	**$2,012,700**

Housing Projects/ Initiatives

Description/Action	Cost	Year	Responsible Party	Funding Source
Encourage loft residential and senior housing on south side of SR 54	$0	NA	City/ developer	NA

Other Local Initiatives

Description/Action	Cost	Year	Responsible Party	Funding Source
Develop master plan for parcels on south side of SR 54	$0	2005	City/ property owner	City

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

FROM. **City Planner** David

VIA. **City Manager**
Developmental Services Director
Financial Services Director PS.

DATE **October 10, 2005**

SUBJECT **CSX RR/ SR 54 West multi-use path connections (FA-AR-180)**
Approval of Supplemental Agreement #1
October 20, 2005 City Council agenda

Recommendation:
Staff recommends that Council authorize the Mayor to sign Supplemental Agreement #1 for the CSX RR/ SR 54 West multi-use path connections project (Attachment "A").

Discussion.
The City was awarded $400,000 ($320,000 Federal/ $80,000 local) in funding through the Livable Centers Initiative (LCI) construction program for the design and construction of sidewalk and multi-use path connections from the tunnels underneath SR 54 to the West Village multi-use bridge spanning the CSX rail line. The Mayor and City Council approved the Project Management Agreement for this project on November 6, 2003 At that time, there were no Preliminary Engineering fees requested, as it was anticipated that City Staff would handle the design of the path connections in-house.

The City also applied for and received LCI Construction funding in the amount of $105,334 ($84,267 Federal/ $21,067 local) to supplement the required match for the tunnels underneath SR 54 Subsequently, we were notified that we could not use LCI funds in this manner, and we requested that ARC transfer this funding to the sidewalk and multi-use path connections project. ARC agreed to modify the project scope (Attachment "B"), which increased the amount of funding for this project from $400,000 to $505,334 ($404,267 Federal/ $101,067 local).

City Staff also requested that ARC designate a portion of the grant funding for preliminary engineering. The attached Supplemental Agreement combines the funding for both projects and amends the original Exhibit contained within the Project Management Agreement. Further, this Agreement designates $25,000 for preliminary engineering ($20,000 Federal/ $5,000 local) and $480,334 for construction ($384,267 Federal/ $96,067 local).

It should be noted that Staff solicited and received a commitment from RAM Development to design and construct the multi-use path connection in the northwest quadrant of this multi-use path intersection as a part of their development of the former Line Creek Baptist Church tract. A significant amount of earthwork and retaining walls was required in this area, which would have cost the City a considerable amount of money This work is currently under construction as a part of the BestBuy retail development.

The multi-use path connections in the remaining three quadrants will require minimal grading, and it is anticipated these connections will be constructed well under the funding allotted for this overall project. Staff has already initiated discussions with ARC and GDOT to transfer any funds remaining once these connections are complete to the SR 54 West multi-use bridge and gateway feature or other LCI projects within the GA 54 West Corridor

Budget impact:
The local match for the combined project will increase by $21,067, and Staff recommends that these funds be taken out of the FY 2005 PIP Contingency Fund, which will leave a balance of $16,046 in this account.

Attachments

SUPPLEMENTAL AGREEMENT #1

BETWEEN

DEPARTMENT OF TRANSPORTATION

STATE OF GEORGIA

AND THE

CITY OF PEACHTREE CITY

PROJECT ACCOUNT NUMBER. STP-0006-00 (271)

FAYETTE COUNTY

PROJECT P I # 0006271

FEDERAL-AID PARTICIPATING PROJECT

LCI

SUPPLEMENTAL AGREEMENT NO 1

This Agreement is made and entered into this _____ day of _____, 200_, by and between the Georgia Department of Transportation, an agency of the State of Georgia, hereinafter called the "DEPARTMENT" and the **City of Peachtree City**, hereinafter sometime referred to as the "SPONSOR"

WHEREAS, the DEPARTMENT and the SPONSOR heretofore on **December 29, 2003**, entered into an Agreement, hereinafter called the Original Contract, for the purpose of **Constructing pedestrian path connections at planned bridge over CSX Railroad and SR 54 culverts**, hereinafter referred to as the "PROJECT"; and

WHEREAS, the parties wish to amend said Agreement by adding the Federal contribution for Preliminary Engineering and increasing the Federal contribution for construction of the PROJECT

NOW, THEREFORE, THE PARTIES HERETO mutually agree that for and in consideration of the mutual benefits to flow from each to the other, the Original Contract, dated **December 29, 2003**, is hereby modified as follows

By deleting Exhibit "A" in its entirety and substituting the attached Exhibit "A" in lieu thereof·

Except as modified, changed, or amended, all terms and conditions of the Original Contract dated **December 29, 2003**, shall remain in full force and effect.

The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the parties hereto

IN WITNESS WHEREOF, said parties have hereunto set their hands and affixed their seals the day and year above first written.

RECOMMENDED:

_____
State Transportation Planning Administrator

_____
Director, Transportation Planning, Data & Intermodal Development Division

_____
Chief Engineer

DEPARTMENT OF TRANSPORTATION

BY _____
Commissioner

ATTEST

_____
Treasurer

REVIEWED AS TO LEGAL FORM:

_____
Office of Legal Services

CITY OF PEACHTREE CITY

BY _____(SEAL)
Name
Title

Signed, sealed and delivered
this ___day of _____, 2005,
in the presence of:

_____
NOTARY PUBLIC

ATTEST

_____
CITY/COUNTY CLERK (or as appropriate)

EXHIBIT "A"

0006271 - Fayette County

Project (PI #,Proj #,Desc.)	Type	Responsible Party					
		Prelim. Eng	R/W	Construction [1,2]	Utility Reloc. Costs	Acquire R/W	Const. Letting
0006271, STP-0006 -00(271) Pedestrian Path connections	Q23 LCI Ped.	$25,000 (20% by City = $5,000) & (80% by Fed. = $20,000) $40,000 additional by City	100% City	$480,334 (20% by City = $96,067) & (80% by Fed. = $384,267)	100% City	City	City

NOTES:

[1] Includes construction costs associated with inspection and materials testing during construction.

[2] If the actual cost for construction exceed the amounts shown, the City shall fund 100% of such excess cost.

ARC

ATLANTA REGIONAL COMMISSION 40 COURTLAND STREET NE ATLANTA GEORGIA 30303

September 21, 2005

Mr. David Rast
Planning Department
Peachtree City
153 Willowbend Road
Peachtree City, GA 30269

SUBJECT FA-AR 180 Scope Change Request

Dear Mr. Rast:

ARC has reviewed your request to change the termini for FA-AR 180. We have determined that 1) the change in termini resulted from the City's ability to obtain a private investment along a portion of the originally funded corridor, 2) the new segments on SR 54 and Huddleston Road continue to fulfill the original intent of the project, and 3) the City has committed to completing the updated scope with the funds allotted. Therefore, your request to make this change has been approved.

Our database has been updated with the above information and the change will be reflected in the next version of the LCI Project Listing. The updated scope will read. "Construct multi-use path connections along SR 54 from the SR 54 Culvert west of the railroad tracks to the West Village Multi Use Bridge to the Avenues Shopping Center, and along Huddleston Road from the SR54 culvert to an existing pathway connection south of SR54" Please note that ARC expects this project to move forward as described and funded in a timely manner. Please contact Julie Kovach at 404-463-3307 with any questions.

Sincerely,

Thomas L. Weyandt, Jr., Director
Comprehensive Planning

TW/jk

C: Bernard McMullen, City Manager
Matt Houser, Qk4
Wright Aldridge, Moreland Altobelli

404 463 3100 FAX 404 463 3105 WWW ATLANTAREGIONAL COM

Attachment "B"

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **Developmental Services Director**

VIA: **City Manager**
Police Chief
Fire Department
Public Works

DATE: **October 11, 2005**

SUBJECT: **Limiting Heavy Trucks on Georgian Park**
October 20, 2005 Council Agenda

Recommendation:

Adopt the Ordinance Amendment to section 78-16 limiting heavy truck use on Georgian Park from Newgate Road to Barberry Lane (south).

Discussion.

The City of Peachtree City Code of Ordinance limits vehicles having a gross vehicle weight in excess of 12,000 pounds from traveling on the streets unless those vehicles are in transit to or from a specific location or destination to which that is the only access. As discussed during the hearing for the approval of the Kedron Village Shopping Center, residents of Georgian Park requested that heavy truck traffic be required to use the entrances along Peachtree Parkway and the main entrance to the shopping Center opposite Barberry Lane (South). The attached proposal provides an ordinance amendment to add Georgian Park prohibiting heavy trucks between Newgate Road and Barberry Lane (south). Therefore trucks accessing the Shopping Center are required to use the other routes. Signage will be erected once the ordinance is approved.

Budget Impacts:
There are no budget impacts associated with this proposal.

Ordinance _____

AN ORDINANCE TO AMEND SECTION 78-16
OF THE PEACHTREE CITY CODE OF ORDINANCES

HEAVY TRUCKS PROHIBITED ON CERTAIN STREETS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1 Section 78-16 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by adding paragraph (10) as follows:

Sec 78-16. Heavy trucks prohibited on certain streets.

(10) That section of Georgian Park which lies between Newgate Road and Barberry Lane (south).

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 3. This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified and Passed this _____ day of _____ 2005

_____
Mayor

_____

_____

_____

_____

Attest:_____
City Clerk

Clyde Stricklin

To: Stony Lohr
Subject: RE. Truck limitations on Georgian Park

--Original Message-----
From: Stony Lohr
Sent: Wednesday, October 12, 2005 2:41 PM
To: Clyde Stricklin
Subject: RE: Truck limitations on Georgian Park

Posting new truck signs may take care of it, but remember Barberry Lane is really a private parking lot with two entrances. Both entrances are designated as "Barberry Lane" by private difficult to see signs The southern entrance is not marked as "south"

Stony

-----Original Message-----
From: Clyde Stricklin
Sent: Wednesday, October 12, 2005 11:03 AM
To: Bernard McMullen; Betsy Tyler; James Murray; Stony Lohr
Cc: David Rast
Subject: Truck limitations on Georgian Park

Folks,

Attached is an ordinance proposing to limit trucks on Georgian Park as requested by the Homeowners during the Consideration of the Kedron Village Expansion. Any Comments prior to placement on the Council Agenda for October 20?

Clyde Stricklin,

<< File: 846 Heavy Trucks on Georgian Park.doc >> << File. Georgian Park Limitations.doc >>

Clyde Stricklin

From: James Murray
Sent: Wednesday October 12, 2005 11 42 AM
To: Clyde Stricklin
Subject: RE: Truck limitations on Georgian Park

Clyde I think this will add a measure of safety at that location and I support it.

-----Original Message-----
From: Clyde Stricklin
Sent: Wednesday, October 12, 2005 11:03 AM
To: Bernard McMullen; Betsy Tyler; James Murray; Stony Lohr
Cc: David Rast
Subject: Truck limitations on Georgian Park

Folks,

Attached is an ordinance proposing to limit trucks on Georgian Park as requested by the Homeowners during the Consideration of the Kedron Village Expansion. Any Comments prior to placement on the Council Agenda for October 20?

Clyde Stricklin,

<< File: 846 Heavy Trucks on Georgian Park.doc >>

<< File: Georgian Park Limitations.doc >>

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM. **City Manager**

DATE **October 19, 2005**

SUBJECT **Amendment to Sign Ordinance – Yard Sale Signs**
October 20, 2005, City Council Meeting

Recommendation.

That Council adopt the attached amendment to allow for yard sale signs in public right-of-way

Discussion.

In June of 2005, Council adopted a new sign ordinance to address concerns about legal action relating to our existing ordinance. The new sign ordinance contained a wide range of changes, and an overall reorganization of the section.

Since the ordinance's adoption, several issues have arisen, and staff is working closely with the City Attorney to tweak the ordinance. However, one area is of more immediate concern to a number of residents. The wording of the current ordinance prohibits yard sale signs in the City right-of-way Last weekend, Code Enforcement began implementing this requirement following City Hall staffs' changes to the yard sale registration forms. With 29 registered sales, many of the 147 purchased signs were pulled due to illegal placement. Residents called to complain, noting that often the signs are not visible once they are out of the right-of way

The City Attorney and staff have developed revisions that address the City Attorney's concerns about the City permitting certain types of commercial speech in the City right-of-way, while prohibiting non-commercial speech in the same location.

Budget Impact:

This item should have no budgetary impact.

Ordinance Number _____

AN ORDINANCE TO AMEND CHAPTER 66, SIGNS, OF THE PEACHTREE CITY CODE OF ORDINANCES IN ITS ENTIRETY TO PROVIDE FOR REGULATIONS OF SIGNS IN PUBLIC RIGHT-OF-WAY, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Section 66-17 of the Code of Ordinance of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Section 66-17 Signs permitted in all districts without approval.

In addition to any other signs permitted under this Chapter, the following signs may be erected without a sign permit, subject to the following:

(a) *Real estate signs.* Real estate signs which indicate the sale, rental or lease of the property are permitted, provided such signs are located on the property, are at least five feet from the paved portion of any street or driveway, and are no more than five feet above ground level. Only one real estate sign per property is permitted.

(1) In residential zoning districts, the maximum size is six square feet, and the sign must be removed no later than seven days after closing of sale, rental or lease of the property

(2 In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after closing of sale, rental or lease of the property

(b) Real estate directional signs. Real estate signs which indicate the location of a structure for sale, rental or lease, provided such signs are located at least five feet (5') from the paved portion of any street or driveway Real estate directional signs shall be of a uniform design with standard colors and graphics. No company names shall appear on the face of the sign. A sample of the approved sign design shall be available at city hall. Real estate directional signs shall be installed pursuant to the following:

(1) No such sign shall be placed on city-owned property or within any public highway or street right-of-way or in any median strips~~-~~, except as provided in **Section 66-18**; ~~shall be allowed at any intersection with a state highway or at the intersection of any two major thoroughfares~~.

(2) A maximum of two signs (one per direction) shall be allowed at any other intersection (signs must direct from the major street onto the lesser street only). If any street intersects another street at more than one place, signs may be placed at only one of the intersections.

(3) A maximum of four directional signs may be located along any single collector street.

(4) No such sign shall be more than two (2) square feet in area, nor more than four (4) feet above ground level.

(c) *Construction signs.* Construction signs are permitted in all districts subject to the following:

(1) Signs can be no more than five feet in height and are limited to one sign for each site. The sign may be erected after a building permit has been issued for the site and work is in progress; this sign shall be confined to the site of construction. Construction signs shall be used to identify the name of the project, architect, engineers, contractors, and other individuals or firms involved with the construction.
(2) In single-family residential zones, the maximum size is six square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).
(3) The sign must be removed when the builder places property for sale or not later than seven days after the closing of the sale.
(4) In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).

(d) *Vacant or unimproved property* Each vacant or unimproved lot shall be allowed to have one (1) monument sign, the size of which shall be limited to sixteen (16) square feet for residentially zoned property, and thirty-two (32) square feet for property zoned office, commercial, or industrial. Such signs shall not exceed five feet (5') in height. Once construction begins on any such vacant or unimproved lot, such signs shall be removed and the provisions regarding construction signs set forth above shall be applicable.

(e) *Flags.* Three ~~One~~ (~~1~~3) flags ~~is~~are permitted on each lot, provided that each such flag does not exceed five feet by eight feet on a lot zoned industrial, four feet by six feet on a lot zoned commercial, and three feet by five feet on a lot zoned to any other zoning classification under the Peachtree City Zoning Ordinance.

(f) *Memorial signs or tablets.* Memorial signs or tablets, names of buildings and date of erection are permitted when cut into any masonry surface or when constructed of bronze or other incombustible material.

(g) *Bulletin boards.* A bulletin board not over 15 square feet in area for a public, charitable or religious institution is permitted when located on the premises of such institution and located in such manner as not to interfere with the vision of motorists.

(h) *Municipal graphics.* Traffic or other municipal street graphics such as railroad crossing signs, legal notices and such temporary emergency signs may be required by the city council.

(i) *Utilities signs.* Signs of public utilities companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities, or of public telephones are permitted.

(j) *Directional, informational, public service signs.* Directional, informational or public service signs erected for the convenience of the public, not identifying any commercial or

public entity, and only used to identify entrances, exits, parking areas, no parking areas, restrooms, public telephones, walkways, cart paths, and similar such features are permitted. Such signs, if located on public property, shall be limited to two square feet in area except as provided herein. Such signs, if located on other than public property (or publicly controlled sign easement), shall be limited in area to one square foot for each four feet the sign is located from public property (or two square feet, whichever is greater) to a maximum of 25 square feet, and shall not exceed five feet in height. No directional, informational or public service sign exceeding two square feet in area may be placed on or attached to a building or structure. Privately owned and maintained traffic control signs or devices, placed entirely on private property, shall also be permitted, provided such signs or devices are of the same size, shape and color as the official such sign or device.

(k) *Signs regulating use of property* No trespassing signs or other such signs regulating the use of property such as no hunting, no fishing, etc., of no more than two square feet in area are permitted.

(l) *Garage sale, similar type retail signs.* Garage sale signs or similar type retail signs are permitted and shall be limited to the following:

(1) each sign must be acquired at city hall,
(2) signs shall not be placed on city-owned property or within any public highway or street right-of-way ~~within 200 feet of any intersection with State Highway Routes 54 and 74,~~ or in any median strips, except as provided in **Section 66-18**;
(3) signs may be placed the day prior to the sale and shall be removed immediately after the sale has been completed;
(4) each property owner shall be limited to no more than two garage or yard sales annually

All signs, other than those acquired at city hall, are prohibited, and any other types will be removed without notice.

(m) Unless otherwise described in this Chapter, and in addition to other signs authorized by this Chapter, temporary signs shall be permitted regardless of the message conveyed on each temporary sign, subject to the following:

(1) Each temporary sign cannot exceed sixteen (16) square feet in area on residential zoned property, and cannot exceed thirty-two (32) square feet on all non-residential zoned property; and
(2) Each temporary sign cannot exceed five~~our~~ (45) feet in height; and
(3) One (1) temporary sign per lot shall be permitted; provided, however, that an unlimited number of temporary signs are allowed during a political election, between the date of close of filing for qualification of candidates or issues and final determination on each ballot candidate or issue.

Section 2. Section 66-18 of the Code of Ordinance of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Section 66-18. Signs permitted within the public right-of-way

(a) *Signs permitted.* Signs permitted within the public right-of-way shall be placed a minimum of five (5) feet from the back of curb, edge of pavement, sidewalk, multi-use path or sidewalk, if present. No signs shall be allowed in the public right-of-way, except as otherwise provided in this chapter and as follows ~~for the following~~:

(1) *Public signs.* Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;

(2) *Informational signs.* Informational signs of public utility regarding its poles, lines, pipes, or facilities; and

(3) *Emergency signs.* Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way

(4) Other permitted temporary signs. All other signs permitted in city-owned right-of way shall be brown and buff in color, and printed on a surface no larger than twelve (12) inches in height and fifteen (15) inches in width. Signs may be posted on a stake or stand so as not to exceed a total height of thirty (30) inches. All such signs shall be placed within fifteen (15) feet of an intersection of two public streets, and shall be no more than ten (10) feet from the back of the curb. No such signs shall be placed in any median strip, nor along the rights-of-way of State Routes 54 or 74.

A. Yard Sale Signs – yard sale signs must be the authorized signs purchased at City Hall, and may include the date(s) of the sale and the street address of the sale. No additional writing is permitted on the sign. No balloons, streamers, or any other items shall be attached to the sign. Signs may be place the evening prior to the sale (after 7 PM) and must be removed on the last registered date of the sale upon completion of the sale.

B. Real Estate Directional Signs. Signs shall be the brown with buff lettering available at local sign and hardware stores, and shall have the phrasing "Home for Sale" or "Home For Rent" and a directional arrow. No additional writing is permitted on the sign. No balloons, streamers, or any other items shall be attached to the sign. Signs may remain in place until the home is leased or sold.

C. Other commercial or quasi-commercial speech – signs must conform in appearance and placement as specified in paragraph (4) above. Barring a concluding date (such as a sale or other date for which the notice is placed), signs will remain in place for a maximum of fourteen (14) days.

D. Non-commercial speech – signs must conform in appearance and placement as specified in paragraph (4) above. Barring a concluding date (such as a sale date or other date for which the notice is placed), signs will remain in place for a maximum of fourteen (14) days.

E. Election signs. Election campaign signs are prohibited in public right-of-way per O.C.G.A. 21-2-3.

(b) *Forfeiture of signs.* Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing or maintaining such a sign the full costs of removal and disposal of such sign.

Section 3. Any ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council hereby declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases maybe declared illegal, invalid or unconstitutional.

Done, Ratified, and Passed this _____ day of _____ 2005

_____
Stephen D Brown, Mayor

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Attest: _____
City Clerk