

ARTICLE 28 STREETS AND SIDEWALKS

Sec. 28.1. Applicability.

Nothing in this Code or the ordinance adopting this Code shall affect any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening or vacating any street or public way in the city, or any ordinance establishing and prescribing the grades of any street in the city, and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 28.2. Changing grade.

No person shall raise or change the grade of, or otherwise interfere with, any street or sidewalk, without first obtaining written permission from the city council.

Sec. 28.3. Obstructions, generally.

No person shall obstruct any street or sidewalk in the city, except temporarily in the moving of goods, merchandise or agricultural products in the necessary course of trade, without permission from the city council.

Sec. 28.4. Display of merchandise.

It shall be unlawful for any person to display, for sale or otherwise, any boxes, barrels, coops, buggies, plows, mowing machines, rakes, hoes, shovels or any other article of merchandise whatsoever on the streets or sidewalks of the city, without permission from the city council.

Sec. 28.5. Playing ball.

No person shall throw, catch, bat or kick any ball or otherwise engage in the playing of any game with a ball, on any street or sidewalk.

Sec. 28.6. Bicycle riding or skating on sidewalks; skating on streets in fire district.

No person shall ride a bicycle or skate on the sidewalks of the city and no person shall skate on any street within the fire district of the city.

Sec. 28.7. Camping on streets.

No person shall camp on any street in the city.

Sec. 28.8. Spitting on sidewalks.

It shall be unlawful for any person to spit upon the paved or tiled sidewalks of the city.

Sec. 28.9. Damaging, defacing, etc., street name signs.

No person shall injure, deface, destroy, tear down or remove any sign or other device placed by authority of the city council for the purpose of indicating the name of any street.

Sec. 28.10. Safety precautions.

It shall be the duty of the person making any excavation or cut pursuant to a permit issued under this article to maintain a red light burning at the site from sundown to sunrise and a red flag during other hours and to place or construct a railing or barricade next to the excavation or cut.

Sec. 28.11. Restoration of surface.

Upon the completion of an excavation or cut pursuant to a permit issued under this article, the city shall repair and restore the surface of the street or sidewalk to its satisfaction, with the full cost of such repair and restoration being borne by the holder of the permit. The exact cost shall be determined by the sidewalks, streets and sanitation committee of the city council, upon consultation with the city official in charge of such work and the holder of the permit.

Sec. 28.12. Excavation permit required; exceptions.

It shall be unlawful for any person to make any cut or excavation in any city street or sidewalk, without first obtaining a permit therefor from the city council. This section shall not apply to any duly authorized employee or agent of the city.

Sec. 28.13. Application for permit.

The application for a permit required by this division shall state the name of the person who expects to cut the street or sidewalk or make the excavation therein, for whom, for what reason and where the work is to be done and the number of days required to do the work.

Sec. 28.14. Fee for permit.

The applicant for a permit under this division shall pay such fee as may be designated from time to time by the city council.

Sec. 28.15. Issuance of permit.

The issuance of a permit applied for under this division shall be within the discretion of the city council, such discretion to be exercised upon the determination of the public interest or want of public street or sidewalk is concerned.

Sec. 28.16. Provisions as to permit holder's liability.

Any person who shall obtain a permit required by this division shall thereby assume full responsibility for any loss or damage to the city or any person as a result of the excavation or cut or acts of negligence in connection therewith and shall indemnify the city against any loss resulting from any damage to either the person or property of any person and every such permit shall contain this provision.

Sec. 28.17. Display of permit.

In the event a permit is issued under this division, a copy thereof shall be publicly displayed at the site of the excavation or cut during the entire period that the work is being done.

Sec. 28.18. Quadrants and base lines.

(a) The city is divided into four (4) sections or quadrants. The median or base lines which separate the city into these districts are as follows:

- (1) North and south lines: North Lee Street and South Lee Street;
- (2) East and west lines: West Main Street and East Main Street.

(b) The city may be divided into as many additional districts as are necessary and property therein may be renumbered in order, as the districts are selected.

Sec. 28.19. Numbering system.

(a) All numbering of property in the city shall be consecutive and related to the base line described in Section 21-56; i.e., all east and west streets shall be numbered from the north and south base lines, regardless of the location of any street. The same shall apply to all north and south streets.

(b) All numbering shall be on a basis of twenty (20) feet to each number and shall be continuous across street intersections, except where it is necessary to reduce that field in intersecting streets.

Sec. 28.20. Assignment of number.

The city clerk is hereby authorized to assign numbers for property in accord with this article and this shall constitute the number to be used for any property in the city.

Sec. 28.21. Standard for and display of number generally.

The standard number adopted by the city shall not be less than two and one-half (2½) inches high. This standard is not intended to be arbitrarily fixed, but any substantial compliance therewith will be accepted by the city. The owner, or if he fails, the occupant of a building shall erect thereon, or on the lot occupied by such building, the number assigned thereto not farther than forty (40) feet from the street line and clearly visible from the street line and from the street in accordance with such standard.

Sec. 28.22. Display of improper number.

When numbers have been provided for streets and property on same, it shall thereafter be unlawful for the owner or occupant of any improved property to use number other than those provided by the city.

Sec. 28.23. Temporary numbers during construction.

Every person constructing a building of any kind shall, during construction, erect on the property a temporary number, as designated by the city, which shall not be smaller than five (5) by twelve (12) inches, posted not farther than ten (10) feet from the front of the lot on which the construction is being done, and which shall be visible from the street. Such number shall remain in place until a permanent number is erected pursuant to this article.

Sec. 28.24. Streets required to meet standards.

All streets constructed in the City of Forsyth following the enactment of this article shall meet all design and construction standards set out herein. The designation of a street by its builder or developer as private or as limited access shall not release the street from the standards.

Sec. 28.25. Design requirements for streets.

(a) Minimum right-of-way width: Fifty (50) feet with curb and gutter.

- (b) Minimum pavement width: For streets in developments restricted to single-family residential use—twenty-two (22) feet excluding curb and gutter; and for all other streets—twenty-eight (28) feet including curb.
- (c) Minimum cul-de-sac right-of-way: One hundred (100) feet diameter.
- (d) Minimum cul-de-sac pavement width: Eighty (80) feet diameter, excluding curb.
- (e) Minimum alley right-of-way and pavement width: Sixteen (16) feet.
- (f) Maximum vertical grade: Twelve (12) percent.
- (g) Minimum vertical grade: One and one-half (1 ½) percent.
- (h) Minimum horizontal radii of center line curvature: One hundred (100) feet.
- (i) Minimum sidewalk width: Four (4) feet.

Sec. 28.26. Street intersections.

Street intersections shall be as nearly at right angles as possible. No street intersections shall be at an angle of less than seventy-five (75) degrees.

Sec. 28.27. Slope development.

Street alignments are subject to performance standards as are appropriate to the city and state construction requirements as may be adjusted to any given site limitation, but at a minimum:

- (a) The street system shall follow parallel contours of the land as closely as possible.
- (b) Depth of cuts and fills shall be held to a minimum in order to avoid excessive land disturbance. The smallest practical area shall be denuded at any one time during the construction period. Suitable vegetative cover or mulch shall be applied immediately following construction to all denuded areas located on a street right-of-way.
- (c) Permanent drainage structures shall be designed for anticipated runoff and be installed in the initial phase of road construction.

Sec. 28.28. Grading.

All streets, roads and alleys shall be graded by the builder or developer so that pavement and sidewalks can be constructed as required. The minimum width of grading shall be the pavement width as specified in Section 21-102, plus six (6) feet on each side. Deviation from the above will be allowed only when due to special topographical conditions.

- (a) *Preparation.* Before grading is started, that part of the right-of-way consisting of the area to be paved plus the shoulders, shall be first cleared of all stumps, roots, brush, other objectionable materials, and all trees not intended for preservation.
- (b) *Cuts.* All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock and fill areas, when encountered, shall be scarified to a depth of twelve (12) inches below the subgrade.
- (c) *Fill.* All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be

removed from the roadway. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted. The filling of utility trenches and other places not accessible to compacting shall be mechanically tamped.

- (d) *Subgrade.* The subgrade shall be properly shaped, rolled, and uniformly compacted to conform with the lines, grades, and typical cross sections as shown on drawings approved as set out in this article. Unsuitable materials shall be excavated and replaced with acceptable compacted material.

Sec. 28.29. Storm drainage.

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full roadway width and the required slopes. The size of pipe to be provided shall be engineeringly determined by the builder or developer, but in no case shall the pipe diameter be less than fifteen (15) inches.

A storm drainage plan shall be submitted at the preliminary review stage and shall contain the following information: location of proposed drainage ways, streams and sediment ponds; location, size and invert elevations of proposed drainage structures, including culverts, pipes, etc.; area of land contributing runoff to each drainage feature; location of easements and rights-of-way for drainage ways and maintenance accesses therefor; typical improvements around drainage features and culverts, if any; direction of water flow through the drainage area and computed velocities at those points deemed necessary by the city; and detailed engineering drawings on all impoundments structures, dams, sediment ponds, etc.

Sec. 28.30. Street improvements.

- (a) *Curb and gutter required.* All streets shall provide curbs and gutters constructed with either precast concrete curb or integral concrete curb and gutter conforming to Georgia Department of Transportation specifications.
- (b) *Paving required.* All streets must be prepared according to the following methods or by equivalent methods acceptable to the city.
 - (1) *Base.* The base shall consist of crushed stone or other approved material having a minimum thickness, after being thoroughly compacted, to six (6) inches and constructed on a prepared subgrade in accordance with these specifications and in conformity with the drawings submitted to and approved by the city. All materials shall generally conform to minimum acceptable standards of the Georgia Department of Transportation. All materials shall be mixed to the extent necessary to produce a thoroughly pulverized and homogeneous mixture. No base material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.
 - (2) *Pavement.* Wearing surface shall conform to mixes found suitable by the Georgia Department of Transportation or an independent testing laboratory and shall be applied after prime coat. Unless otherwise approved by the city, pavement shall be constructed as follows: prime coat shall be cut-back asphalt or cut-back asphalt emulsion applied on a clean slightly damp surface in the amount of from one-tenth (0.10) to three-tenths (0.30) gallons per square yard, depending on the nature and condition of the surface; and wearing surface shall consist of an approved plant mix

prepared in a central plant and composed of aggregate and bituminous material having an in-place minimum compacted thickness of one and one-half (1 ½) inches.

- (3) *Sealing of joints.* Care and precaution shall be taken that all joints between the surface mixture and such structures as manholes and curbs are well sealed.
- (4) *Damage to public streets.* The developer shall be responsible for damage and maintenance of previously accepted streets when undergoing construction on developments. Any pavement disturbed shall be fully restored in accordance with minimum acceptable standards of the Georgia Department of Transportation. Such restoration shall be fully completed within thirty (30) days from the date of first disturbance, provided, however, that the city may direct earlier completion in instances involving dire hazard to the public safety. When construction traffic of new development impacts severely on existing city streets, as determined by the City of Forsyth Public Works Department and the developer fails to take necessary corrective action, permits may be voided or withheld until proper repairs have been made. The cost of such restoration shall be paid by the developer or builder of a street subject to this article. Also, the developer's maintenance bond may be used for these off-site repairs and maintenance.

Sec. 28.31. Final street plan approval.

- (a) Following completion of construction, upon the posting of a guaranty or surety and upon the submittal of a set of as-built plans conforming with the approved plan and the standards of the City Code as surveyed by a registered surveyor or civil engineer, the city council shall approve the street and accept a deed to the street right-of-way.

Following the approval of the street by the city council and the acceptance of a deed to the right-of-way, the city clerk shall note the approval within the city minutes, and shall attach a plat of the street, to the city minutes, and shall record the plat and deed in the public deed records of Monroe County, Georgia, and shall furnish copies thereof to the developer or builder.