

FIRST READING: October 10, 2017

PASSED: _____

AN ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF BLUE RIDGE TO PROVIDE EXCEPTIONS REGARDING THE OPERATION OR DRIVING OF A LOW-SPEED MOTOR VEHICLE OR GOLF CART AS TO ELECTRIC SHUTTLE BUSES (LIGHTWEIGHT COMMERCIAL VEHICLES) ON CERTAIN STREETS; TO PROVIDE OPERATION REGULATIONS FOR THE PERMISSIVE OPERATION OR DRIVING AS TO ELECTRIC SHUTTLE BUSES ON CERTAIN STREETS; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Blue Ridge, Georgia finds pursuant to O. C. G. A. § 40-6-331 that it is appropriate to prohibit the operation or driving of low-speed motor vehicles or motorized carts (golf car or golf cart) upon the public streets of the City of Blue Ridge, Georgia except as provided by this ordinance;

WHEREAS, the City Council of the City of Blue Ridge, Georgia finds that the operation of low-speed motor vehicles or motorized carts (golf car or golf cart) upon the public streets of the City of Blue Ridge, Georgia in large numbers would create traffic hazards and endanger the general public;

WHEREAS, the City Council finds that the operation of a few low-speed vehicles or motorized carts upon the public streets of the City of Blue Ridge, Georgia, being electric shuttle buses (lightweight commercial vehicles) on certain streets, to promote economic development within the business district of the City, and to promote tourism within the City is in the interest of the general welfare of the citizens of the City of Blue Ridge, and this limited number of low-speed electric shuttle buses (lightweight commercial vehicles) would not endanger the general public; and

NOW, THEREFORE, BE IT ORDAINED, and it is hereby ordained by authority of the City Charter and general law, as follows:

SECTION 1. AMENDMENT TO THE CODE OF THE CITY OF BLUE RIDGE, BEING CHAPTER 73, SECTION 73.03, AND WHICH IS STRICKEN IN ITS ENTIRETY, AND THE FOLLOWING SHALL BE SUBSTITUTED IN LIEU THEREOF.

The Code of the City of Blue Ridge is hereby amended by striking in its entirety Section 73.03, and substituting in lieu thereof the following new sections which shall read as follows:

Sec. 73.03. Exceptions.

(a) The provisions of this chapter shall not apply to low-speed motor vehicles or motorized carts, or both, owned by golf courses, country clubs, or other such organized entities which own such carts or vehicles, or both, and make them available to members or the public on a rental basis, provided that such motorized carts or low-speed motor vehicles, or both, are used only on the premises of such golf courses, country clubs, or other such organized entities, and are not used on the public streets of the City of Blue Ridge, Georgia.

(b) In order to promote economic development including but not limited to tourism, the City of Blue Ridge, Georgia, may license the operation of approved electric shuttle buses (lightweight commercial vehicles) and by operators of such vehicles receiving a City permit as provided hereinafter, upon certain public streets as hereinafter designated and pursuant to the regulations as hereinafter provided. The public streets designated for the use of approved electric shuttle buses (lightweight commercial vehicles) may also be used by regular vehicular traffic.

(c) Designated streets for approved electric shuttle buses (lightweight commercial vehicles).

The designated streets for the operation of approved electric shuttle buses shall be those public streets of the City of Blue Ridge, Georgia within the downtown business district as follows: West Main Street, Mountain Street, Depot Street, McKinney Street, East Main Street, West 1st Street, East 1st Street, Cook Street, Scenic Drive, Church Street, Austin Street, Ewing Street, Gray Street, Jones Street, and Davis Street.

(d) Operation regulations for approved electric shuttle buses (lightweight commercial vehicles).

The approved electric shuttle buses (lightweight commercial vehicles) shall be operated pursuant to the following regulations:

(1) Those persons who hold a valid motor vehicle driver's license may drive an approved electric shuttle buses (lightweight commercial vehicles) on the designated streets of the City of Blue Ridge, Georgia.

(2) Only those persons meeting the driver license age requirements may operate an approved electric shuttle buses (lightweight commercial vehicles).

(3) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the designated streets.

(4) Approved electric shuttle buses (lightweight commercial vehicles) may only be operated on the designated City streets and may not be operated on state highways.

(5) No approved electric shuttle bus (lightweight commercial vehicles) is to be driven on any City street where the speed limit is greater than 35 mph or any City street that the Mayor and City Council or City Police Chief, or both, deem to be unsafe.

(6) All operators or drivers, or both of approved electric shuttle buses (lightweight commercial vehicles) shall abide by all official traffic control devices and traffic

control signals upon the designated City streets.

(7) Approved electric shuttle buses (lightweight commercial vehicles) may be operated on those designated City public streets only during daylight hours, unless such electric shuttle buses (lightweight commercial vehicles) are equipped with all required lighting to operate during low or no light conditions as required by the Code of Federal Registry (CFR), being 49 C.F.R. § 571.500.

(8) The operator of electric shuttle buses (lightweight commercial vehicles) that operate upon the designated City streets shall have motor vehicle liability insurance in the amounts as required under Georgia law.

(9) There shall be displayed on the rear thereof of any approved electric shuttle buses (lightweight commercial vehicles) a triangular emblem with those standards and specifications adopted for slow-moving vehicles by the American Society of Agricultural Engineers in December, 1966, and contained within such society's standard ASAE § 276.1, described in O. C. G. A. § 40-8-4.

(10) The electric shuttle buses (lightweight commercial vehicles) shall be equipped as provided by O.C.G.A. § 40-6-330.1.

SECTION 2. **REPEAL OF CONFLICTING ORDINANCES TO THE**
EXTENT OF THE CONFLICT.

All parts of previously ordained ordinances in conflict with the terms of this Ordinance are hereby repealed to the extent of the conflict; but it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Blue Ridge, Georgia.

SECTION 3. SEVERABILITY.

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this ordinance should be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances should be declared invalid or unconstitutional, such invalidity shall not be construed to effect the provisions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

SECTION 4. REPEAL OF PRIOR ORDINANCE.

The prior ordinance providing for the exceptions to the regulation of the operation of low-speed motor vehicles or motorized carts, as amended, being Code Section 73.03, and adopted by the City Council of the City of Blue Ridge, Georgia is hereby repealed in its entirety. Any other ordinance or a part of an ordinance in conflict with this ordinance, is hereby repealed to the extent of the conflict.

SECTION 5. EFFECTIVE DATE.

The effective date of this ordinance will be upon its passage by the City Council of the City of Blue Ridge, Georgia.

SO ORDAINED this _____ day of _____, 2017.

BLUE RIDGE CITY COUNCIL

By: _____
Mayor

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

Attest:

Kelsey Ledford, City Clerk

JAD/2881/W203136