

**FORSYTH COUNTY, GEORGIA
ORDINANCE NUMBER 101**

**AN ORDINANCE
BY THE BOARD OF COMMISSIONERS
OF FORSYTH COUNTY**

An Ordinance of Forsyth County, Georgia to adopt
the Rules and Regulations Regarding Turn Lanes,
Driveway and Encroachment Control

WHEREAS, the Constitution of the State of Georgia, approved by the voters, of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I that the governing authority of the county may adopt clearly reasonable ordinances, resolutions and regulations; and

WHEREAS, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety and welfare of the population of the unincorporated areas of the County; and

WHEREAS, the governing authority of Forsyth County, to wit, the Board of Commissioners, is desirous of executing its authority in adopting this ordinance; and

WHEREAS, Chapters 14-4.5 and 18-5.8 of the Forsyth County Unified Development Code, among others, authorize the Forsyth County Department of Engineering to establish standards and criteria for curbs, gutters, entrances, exits, acceleration and deceleration lanes, and left and right turn lanes; and

WHEREAS, in accord with that authority, and with the authority otherwise possessed by the Forsyth County Board of Commissioners, the Forsyth County Board of Commissioners deems it advisable to adopt the State of Georgia Department of Transportation ("DOT") regulations for Driveway and Encroachment control; and

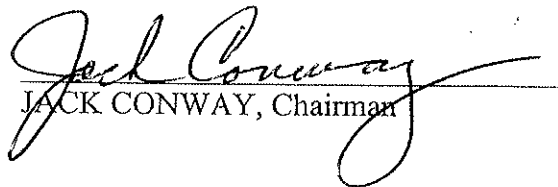
WHEREAS, the Regulations for Driveway and Encroachment Control promulgated by the Georgia Department of Transportation make reasonable and sound provision for the spacing and design of driveways, curb cuts, turn lanes, and acceleration/deceleration lanes in the County;

NOW THEREFORE, be it resolved and ordained by the Board of Commissioners of Forsyth County, Georgia, and it is hereby resolved and ordained by the authority of same, that the State DOT Regulations for Driveway and Encroachment Control, promulgated March 2, 2004 (attached hereto as Exhibit "A") are declared the pertinent design and development regulations for purposes of constructing roadway curbs, gutters, entrances, exits, acceleration and deceleration lanes, and left and right turn lanes, in Forsyth County, as authorized and otherwise

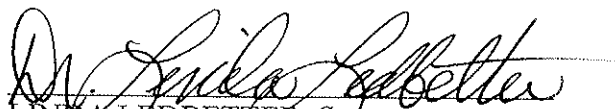
required by the Forsyth County Unified Development Code and the Forsyth County Department of Engineering.


BE IT FURTHER RESOLVED, that within the State DOT Regulations for Driveway and Encroachment Control, for purposes of enforcement in Forsyth County, all references to "Department" or "DOT" shall mean the Forsyth County Department of Engineering. All references to the "District Access Management Engineer" shall refer to the "County Engineer," and all references to the "District Engineer" shall refer to the "Forsyth County Director of Engineering." Moreover, to the extent the DOT Regulations for Driveway and Encroachment Control rely upon the Average Daily Traffic ("ADT"), said number will be projected out 20 years.


Adopted this 15th day of SEPTEMBER, 2005.

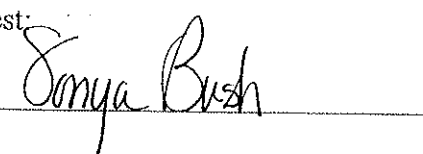

JACK CONWAY, Chairman


BRIAN TAM, Vice Chairman


LINDA LEDBETTER, Secretary


CHARLES LAUGHINGHOUSE, Commissioner


DAVID RICHARD, Commissioner

Attest:


Sonya Bush