

AN ORDINANCE

NO. _____

AN ORDINANCE TO REPEAL SECTION 3-4-12 OF CHAPTER 3-4 ENTITLED “USE OF COASTERS, ROLLER SKATES, AND SIMILAR DEVICES RESTRICTED” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA AND TO INSERT IN LIEU THEREOF A NEW SECTION 3-4-12 ENTITLED “ANIMALS, USE OF DEVICES FOR SELF-TRANSPORTATION AND SIMILAR DEVICES RESTRICTED” TO RESTRICT THE USE OF DEVICES FOR SELF-TRANSPORTATION OR RIDING ANY ANIMAL IN PLACES NOT SPECIFICALLY DESIGNATED FOR THEIR USE, INCLUDING THE DOWNTOWN SQUARE, PUBLIC COURTYARDS, PUBLIC PARKING LOTS AND DECKS, ROADWAYS AND SIDEWALKS; TO PROVIDE FOR CITY COUNCIL TO GRANT AN EXCEPTION AT THEIR DISCRETION; TO PROVIDE FOR PENALTIES AS A RESULT OF VIOLATION; TO REPEAL AND RESERVE CHAPTER 4-4 SECTION 4-4-30 ENTITLED “IMPROPER USE OF” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, GEORGIA AS FOLLOWS:

SECTION I.

Section 3-4-12 of the Code of the City of Gainesville, Georgia is hereby repealed and inserted in lieu thereof a new Section 3-4-12 entitled “Animals, Use of Devices for Self-Transportation and Similar Devices Restricted” which shall read as follows:

(a) The utilization of any device designed for self-transportation or self-propulsion, or riding any animal shall be prohibited in places not specifically designated for their use. Prohibited places shall include the downtown square, public courtyards, public parking lots and decks, and all sidewalks and roadways. Exceptions may be granted by the city council at their discretion based on specific requests presented to them in a timely manner and via the proper channels. This section shall not limit the provisions of the American with Disabilities Act.

(b) Bicycles are allowed on roadways subject to the provisions of state law, but are prohibited in places not specifically designated for their use. Prohibited places shall include public courtyards, public parking lots and decks, and all sidewalks. Exceptions may be granted by the city council at their discretion based on specific requests presented to them in a timely manner and via the proper channels.

SECTION II.

Section 4-4-30 of the Code of the City of Gainesville, Georgia is hereby repealed and inserted in lieu thereof a new Section 4-4-30 entitled "Reserved."

SECTION III.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION IV.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION V.

This Ordinance is enacted as an amendment to Section 3-4-12 and Section 4-4-30 of the Code of Ordinances of the City of Gainesville, Georgia.

SECTION VI.

The effective date of this Ordinance shall be upon approval by the City Council of the City of Gainesville, Georgia.