



Legislation Details (With Text)

File #: 16-776 **Version:** 3 **Name:**
Type: Informational Report **Status:** Mayor's Office
File created: 12/28/2016 **In control:** City Council
On agenda: 2/14/2017 **Final action:** 2/14/2017
Title: Ordinance No. 17-6 creating a New Section 112 (Use Of Medians) of Article 18 (Pedestrians' Rights and Duties, Drivers to Exercise Due Care) and Amending Section 312 (Official Traffic Control Records) of Part 3 (Administration) of Article 1 (Administration And Enforcement), Both of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Pedestrian Use of Narrow or Domed Medians on Higher Volume and Higher Speed Roadways, and Providing Penalties for the Violation Thereof

Presenter:
Anne Turner, Senior Attorney
Kathleen Krager, Transportation Planning Manager, Traffic Engineering
Pete Carey, Police Chief

Sponsors:

Indexes:

Code sections:

Attachments: 1. 012417 Ch10-UseOfMediansORD-2017-01-16, 2. Ordinance 17-6

Date	Ver.	Action By	Action	Result
2/14/2017	3	City Council	denied	Fail
2/14/2017	3	City Council	finally passed	Pass
1/24/2017	2	City Council	approved on first reading	Pass
1/24/2017	2	City Council	denied	Fail
1/24/2017	2	City Council	denied	Fail
1/9/2017	1	Council Work Session	referred	

Ordinance No. 17-6 creating a New Section 112 (Use Of Medians) of Article 18 (Pedestrians' Rights and Duties, Drivers to Exercise Due Care) and Amending Section 312 (Official Traffic Control Records) of Part 3 (Administration) of Article 1 (Administration And Enforcement), Both of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Pedestrian Use of Narrow or Domed Medians on Higher Volume and Higher Speed Roadways, and Providing Penalties for the Violation Thereof

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Summary:

The proposed ordinance would promote the public health, safety and welfare by prohibiting pedestrian use of narrow or domed medians located on higher volume and higher speed roadways within the City. It also would require the City's Traffic Engineer to keep records of such medians, which are not designed or suitable for pedestrian use.

Previous Council Action:

On February 9, 2016, City Council repealed the Use of Medians or Central Dividing Strip City Code section. It generally prohibited access to all medians within the City for any purpose other than crossing or maintaining them.

Background:

The primary purpose of roadway medians is to enhance the safety of and free flow of traffic on roadways. Individuals have been accessing medians that are not designed or suitable for pedestrian use.

This draft ordinance would restrict access to particularly narrow (less than 4 feet wide) or domed medians located on higher volume and higher speed roadways within the City. Higher volume roadways are those that are classified as a Freeway, Expressway, Parkway, Principal Arterial, or Minor Arterial on the Colorado Springs Major Thoroughfare Plan. Higher speed roadways are those with a speed limit of 30 mph or greater. Under the proposed ordinance, on higher volume and higher speed roadways in the City, pedestrians must have at least 4 feet in diameter of flat space to access the median lawfully.

Pedestrians may continue to access any type of median (narrow, domed or otherwise) on roadways that are not classified as a Freeway, Expressway, Parkway, Principal Arterial, or Minor Arterial on the Colorado Springs Major Thoroughfare Plan. They may continue to access any type of median on any roadway where the speed limit 25 mph or less. And they may access any median on any roadway (including higher volume and higher speed roadways) where there is at least 4 feet in diameter of flat space.

Medians that meet the criteria established in the proposed ordinance would be sign-posted to notify the public that access to the median is prohibited. Accessing any median posted with such a sign would violate the proposed ordinance, unless the person had obtained a permit or license from the City to access the median, was authorized to access the median for maintenance or repair purposes, or was a law enforcement officer engaged in the performance of their official duties. The penalty for a violation of the proposed ordinance would be a fine of up to \$500.00 and/or probation.

The proposed ordinance also amends City Code section 10.1.312, to require the City's Traffic Engineer to keep records of all the medians that are not designed or suitable for pedestrian use pursuant to the proposed ordinance.

Financial Implications:

Signage of medians that meet the criteria in the proposed ordinance will be required, but staff do not anticipate such costs to be significant. The Police Department also does not anticipate any significant additional costs for enforcement of this proposed ordinance, as enforcement would be a part of the regular law enforcement activities that Police Department personnel currently perform.

Board/Commission Recommendation:

N/A

Stakeholder Process:

During the drafting process input was gathered from City Departments including the Police Department, Traffic Engineering, and the City Attorney's Office.

Alternatives:

City Council may choose to adopt the proposed ordinance as presented, amend the proposed ordinance, or decline to adopt the proposed ordinance.

Proposed Motion:

Move to approve an ordinance creating a new section of City Code pertaining to Pedestrian Use of Narrow or Domed Medians on Higher Volume and Higher Speed Roadways and amending the City Code section pertaining to Official Traffic Control Records.

The ordinance creates a new section of City Code limiting pedestrian use of narrow or domed medians on higher volume and higher speed roadways, and amends City Code to providing penalties.