

One-rdg. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 4  
Filed: 01-09-18

Sponsored by: Schilling and Hosmer

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL 2018- 019

GENERAL ORDINANCE \_\_\_\_\_

AN ORDINANCE

1 AMENDING Springfield City Code, Chapter 106 – ‘Traffic and Vehicles,’ Article VII. –  
2 ‘Pedestrians,’ by amending Section 106-452. – ‘Rights and duties when  
3 crossing roadways,’ subsection (a) ‘Crossing at places other than  
4 crosswalks.’  
5 \_\_\_\_\_  
6

7 WHEREAS, on December 11, 2017, General Ordinance 6416 was adopted to  
8 improve the protection of pedestrians and drivers in and around intersections and  
9 streets with high traffic volumes, high speed limits, and/or narrow medians; and  
10

11 WHEREAS, during discussion and comment about General Ordinance 6416,  
12 certain issues were raised related to City Code Section 106-452(a) that required  
13 research and further discussion; and  
14

15 WHEREAS, after completion of the research and upon further discussion, City  
16 Council wishes to refine Section 106-452(a) as set forth in this Ordinance.  
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
19 SPRINGFIELD, MISSOURI, as follows, that:  
20

21 NOTE: Language being added is underlined and language being removed is  
22 ~~stricken~~.  
23

24 Section 1 – Chapter 106 – ‘Traffic and Vehicles,’ Article VII. – ‘Pedestrians,’  
25 Section 106-452. – ‘Rights and duties when crossing roadways,’ subsection (a)  
26 ‘Crossing at places other than crosswalks’ is hereby amended as follows:  
27

28 Sec. 106-452. - Rights and duties when crossing roadways.  
29

30 (a) *Crossing at places other than crosswalks.* No pedestrian shall cross the  
31 roadway at any place other than a crosswalk within those areas ~~described~~  
32 ~~in ordinances adopted~~ designated by the traffic engineer and listed in a  
33 schedule established from time to time and placed on file with the city clerk.

34 Outside the business districts, any pedestrian crossing at a point other than  
35 a crosswalk shall yield the right-of-way to motor vehicles upon the roadway;  
36 provided that this subsection shall not relieve the driver of a motor vehicle  
37 from the duty to exercise the highest degree of care under the  
38 circumstances for the safety of pedestrians. During the period from one-half  
39 hour after sunset to one-half hour before sunrise, no pedestrian shall cross  
40 any roadway with a speed limit in excess of 30 miles per hour or any  
41 roadway designated by the traffic engineer and listed in a schedule  
42 established from time-to-time and placed on file with the City Clerk at any  
43 place other than a crosswalk or intersection.  
44

45 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to  
46 affect any suit or proceeding now pending in any court or any rights acquired or liability  
47 incurred nor any cause or cause of action occurred or existing, under any act or  
48 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,  
49 impaired, or affected by this Ordinance.  
50

51 Section 3 – This Ordinance shall be in full force and effect from and after  
52 passage.  
53

54 Passed at meeting: \_\_\_\_\_  
55

56 \_\_\_\_\_  
57  
58 Mayor

59 Attest: \_\_\_\_\_, City Clerk  
60  
61

62 Filed as Ordinance: \_\_\_\_\_  
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64

65 Approved as to form: Rhonda Lewaden, Assistant City Attorney  
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67

68 Approved for Council action: Jay Burt, City Manager  
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## EXPLANATION TO COUNCIL BILL 2018-019

FILED: 01-09-18

ORIGINATING DEPARTMENT: Law

PURPOSE: To amend Springfield City Code, Chapter 106 – ‘Traffic and Vehicles,’ Article VII. – ‘Pedestrians,’ by amending Section 106-452. – ‘Rights and duties when crossing roadways,’ subsection (a) ‘Crossing at places other than crosswalks.’

BACKGROUND: On December 11, 2017, General Ordinance 6416 was adopted to improve the protection of pedestrians and drivers in and around intersections and streets with high traffic volumes, high speed limits, and/or narrow medians. During discussion and comment about General Ordinance 6416, certain issues were raised related to City Code Section 106-452(a) that required research and further discussion.

City Code Section 106-452(a) states that a pedestrian may not cross a roadway at any place other than a crosswalk within “those areas described in ordinances adopted from time to time.” Prior to the City Code recodification in 2000, Section 106-452(c) set out the areas in which pedestrians must use crosswalks as Grand Street between Kimbrough Avenue and National Avenue and National Avenue between Cherry Street and Grand Street. During the recodification, Section 106-452(c) was deleted, and a requirement to describe the areas in ordinances was added to Section 106-452(a). However, no ordinances were adopted to describe any areas after the recodification, so Section 106-452(a) does not currently apply to any area. This Council bill would amend Section 106-452(a) to allow the City’s Traffic Engineer to designate areas in which pedestrians must cross within crosswalks regardless of the time of day.

General Ordinance 6416 amended Section 106-452(a) to require pedestrians to cross a roadway at a crosswalk or intersection after dark. This Council bill would amend that requirement to allow pedestrians to cross roadways with a speed limit of 30 miles per hour or less after dark at places other than crosswalks or intersections, unless a roadway is designated by the City’s Traffic Engineer and listed in a schedule. The purpose of this change is to remove the requirement to cross at crosswalks and intersections after dark from areas with lower speed limits and less significant safety concerns, such as residential areas, while allowing the Traffic Engineer to maintain the requirement on higher-risk roadways which have speed limits of 30 miles per hour or less.

REMARKS: Clarification of the procedure for setting the areas in which pedestrians must cross at crosswalks was requested by Councilman Hosmer. Amending the requirement to cross at crosswalks or intersections after dark to exclude lower speed roadways was requested by Councilman Schilling.

Submitted by:

  
\_\_\_\_\_  
Rhonda Lewsader  
Assistant City Attorney

Approved by:

  
\_\_\_\_\_  
Greg Burris, City Manager