AMENDING 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.’

WHEREAS, 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; and

WHEREAS, 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; and

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

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

NOTE: Language being added is underlined and language being removed is stricken.

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

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

(a) Crossing at places other than crosswalks. No pedestrian shall cross the roadway at any place other than a crosswalk within those areas described in ordinances adopted designated by the traffic engineer and listed in a schedule established from time to time and placed on file with the city clerk.
Outside the business districts, any pedestrian crossing at a point other than a crosswalk shall yield the right-of-way to motor vehicles upon the roadway; provided that this subsection shall not relieve the driver of a motor vehicle from the duty to exercise the highest degree of care under the circumstances for the safety of pedestrians. During the period from one-half hour after sunset to one-half hour before sunrise, no pedestrian shall cross any roadway with a speed limit in excess of 30 miles per hour or any roadway designated by the traffic engineer and listed in a schedule established from time-to-time and placed on file with the City Clerk at any place other than a crosswalk or intersection.

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rights acquired or liability incurred nor any cause or cause of action occurred or existing, under any act or ordinance repealed hereby.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

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

Passed at meeting: __________________________

________________________, Mayor

Attest: __________________________, City Clerk

Filed as Ordinance: __________________________

Approved as to form: __________________________, Assistant City Attorney

Approved for Council action: __________________________, City Manager
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