

AN ORDINANCE TO AMEND CHAPTER 61 OF THE MOBILE CITY CODE, 1991, TO ESTABLISH POLICIES AND PROCEDURES FOR INSTALLATION OF TRAFFIC CALMING DEVICES

Sponsored by: Councilor(s) _____

WHEREAS, Code of Alabama Sec. 11-43-56 vests management and control of municipal streets and public ways in the City Council; and,

WHEREAS, in the exercise of its legislative powers the City Council desires to set forth policies and procedures in regards to the installation of traffic calming devices on city streets and public ways.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that Chapter 61 of the Mobile City Code, 1991, is hereby amended to add a new Article as follows:

TRAFFIC CALMING

Sec. 1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (A) *Traffic calming device* means any device installed in the roadway designed to limit vehicle operating speeds and to encourage vehicles to seek alternative routes, including, but not limited to, the following:
- (B) *Rumble strip* means a series of small raised pavement undulations, often seen on the approaches to intersections on high speed roadways. The rumble strip is a series of five to seven raised pavement areas, each being eight inches wide and one-half inch high, spaced on ten inch gaps.
- (C) *Speed bump*, also referred to as a *speed breaker*, means a raised pavement section typically less than one foot wide and three to four inches in height, typically found in commercial parking lots and driveways. The design of speed bumps generally makes them inappropriate for use on the public right-of-way.
- (D) *Speed hump* means a raised pavement section typically 12 to 14 feet long and three inches high. Speed humps typically have the cross section of a section of an arc of a circle, and extend from edge of asphalt paving to edge of asphalt paving on the roadway without obstructing the gutter using a 12-inch taper to the gutter seam. Typical materials for the construction of a speed hump are asphalt, concrete, rubber, and brick.

- (E) *Speed lump*, also known as speed cushions, are a variation of speed humps. Instead of a continuous hump, it is divided into several smaller sections which allows for unobstructed passage of emergency vehicles, buses, trucks and other wide wheelbase vehicles and allows for improved drainage. The gaps are spaced such that only one set of standard vehicle tires will go through the gap while the other set of vehicle tires must go over the hump.
- (F) *Speed table* means devices similar to speed humps, except that the overall length of the table is extended to approximately 22 feet, which allows for a ten- to 12-foot flat area on top of the speed hump. This flat area is sometimes used as an area for pedestrian crossing and is known as a raised crosswalk.

Sec. 2. - Approval required prior to installation; traffic calming study and criteria.

No new traffic calming device shall be installed along a roadway in the City without the prior approval of the City Council. Prior to the installation of a new traffic calming device upon any roadway in the City, there should be a city-conducted investigation as to whether traffic calming is necessary in a certain area which may or may not recommend the installation of traffic calming device(s) based upon the following warranting criteria:

- (A) *Traffic volume criteria.* Traffic calming devices will not be considered for roadways which have less than 500 total vehicles traveling in both directions on a daily basis, nor more than 5,000 total vehicles traveling in both directions on a daily basis.
- (B) *Speed criteria.* Traffic calming devices will not be considered unless the average travel speed of all vehicles observed is equal to or greater than 25 miles per hour or the 85th percentile travel speeds of all vehicles is equal to or greater than 30 miles per hour.
- (C) *Roadway classification criteria.* Traffic calming devices will not be installed on roadways which are classified in the City's major street plan.
- (D) *Roadway geometric criteria.* Traffic calming devices will not be installed in the following roadway geometric conditions:
 - i. A horizontal curve or a vertical curve where the visibility of the traffic calming device is restricted, or on an approach to such curves;
 - ii. On roadways at any location where the grade exceeds five percent, including the approaches to each traffic calming device installation;
 - iii. On roadways more than two lanes wide or less than 21 feet wide;
 - iv. On roadways having a posted speed limit of greater than 25 miles per hour;

- v. Where placement of traffic calming devices are impractical due to the location of the public roadway intersections and/or driveways.
- (E) *Accident criteria.* Accident patterns should be studied to determine trends of accidents which:
- i. Might have been prevented if vehicle operating speeds were generally lower on the subject roadway; or
 - ii. Might have been more severe if traffic calming devices were in place.

There are no criteria for the minimum number of accidents which might have been prevented if operating speeds were generally lower.

- (F) *Traffic diversion criteria.* An estimate of the diversion of traffic to other residential roadways which would result if traffic calming devices were installed on the roadway, which is the subject of the complaint, should be performed. Traffic calming devices will not be installed if the traffic diversion would result in a traffic increase on any other residential roadway of 50 percent or more for that roadway.
- (G) *Emergency access and route criteria.* Traffic calming devices shall not be permitted on roadways which serve as a primary route for emergency vehicles (defined as a roadway that averages at least five emergency vehicle trips per day) or a primary access route for emergency vehicles into an area of 100 or more residential dwelling units or ten or more businesses.
- (H) *Public involvement criteria.* Public requests for the installation of traffic calming devices shall be submitted by petition to the City Council via the City Clerk. The preferable method of public involvement for the installation of traffic calming devices is through an established homeowner's association. In the absence of a homeowner's association, or if the geographic area encompassed by the homeowner's association exceeds or does not cover the impact area of the proposed traffic calming device installation, the input of those persons or entities owning property within a geographic area reasonably determined by the City to be impacted by the proposed traffic calming device shall be considered in the public involvement process.
- i. Persons seeking traffic calming devices shall appoint a single individual to act as a point of contact between the City and the represented group, who shall endeavor to meet with City staff prior to the submission of a petition to first attempt to resolve the request and, if unsuccessful, to identify those persons or entities whose approval is necessary criteria for submitting a valid petition to the City Council. No petition shall be considered where the petitioners have not first attempted to resolve the request by meeting with City staff.

- ii. The installation of traffic calming devices via petition must meet the investigatory and other criteria set forth in this ordinance and must be approved by a 75 percent majority of all dwelling units within the confines of either the homeowner's association area or geographic impact area as determined by the City. In any case, only one signature/vote on a petition per dwelling unit in the affected area will be counted.
 - iii. Types of traffic calming devices, locations thereof, and other similar determinations, if any, shall be made in the sole discretion of the City.
 - iv. Upon receipt of such petition a copy of same will be submitted to the Mayor, the City engineer, the City traffic engineer, the police chief, the fire chief and the City Councilor for the applicable district. If the City Councilor in the applicable district agrees to sponsor a resolution to approve a traffic control device or devices pursuant to petition, same shall be prepared by the City Clerk and submitted to the Council no earlier than thirty (30) days after the petition is forwarded to the Mayor, et al. The resolution will state the general location where the traffic calming device or devices would be installed. All other criteria as to types of devices and placement thereof shall be in the discretion of the City engineer or City traffic engineer.
- (I) *Costs.* For traffic calming devices to be installed due to petition from the public, the petitioners shall be responsible for the cost of installation. The City traffic engineer will determine the cost for same and provide the amount to the petitioners' point of contact which cost must be paid before the device(s) can be installed. The costs of any traffic calming devices installed at the initiative of the City or City Council, if approved, shall be borne by the City.

Sec. 3. - Limitations on placement.

The following shall be limitations upon the use or installation of certain traffic calming devices in the City:

- (A) *Speed bumps.* Because of their design, speed bumps are generally considered inappropriate for use on the public right-of-way.
- (B) *Speed humps.* Speed humps shall not be placed in the following locations:
 - i. On horizontal and vertical curves, or the approaches to such curves;
 - ii. On a grade of five percent or greater, or the approach to such grades;
 - iii. Adjacent to a driveway;
 - iv. Within 250 feet of a traffic signal;
 - v. Within 50 feet of a public roadway intersection;

- vi. Over or near manholes;
 - vii. Adjacent to fire hydrants; or
 - viii. Immediately upstream of drainage inlets.
- (C) *Rumble strips.* Rumble strips are not recommended for use in traffic calming situations. Any recommendation calling for their use should be accompanied by a compelling reason.
- (D) *Striping, signage and pavement markings.* Any recommendation to install a traffic calming device should include recommendations for appropriate striping, signage and other pavement markings to delineate the traffic calming device.

Sec. 4. – Existing Traffic Calming Devices.

Existing traffic calming devices located on City streets shall not be permanently removed without the consent of the City Council, and in the event of road work or repairs or other construction work necessitating temporary removal of existing traffic calming devices such devices shall be replaced upon completion of the work.

Sec. 5. – Miscellaneous Provisions.

- (A) *Severability.* If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each article, section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more article, section, subsection, subdivision, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of Alabama.
- (B) *General Repealer.* Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
- (C) *Effective Date and Jurisdiction.* This ordinance shall be effective within the City of Mobile and its police jurisdiction immediately upon its enactment and publication as required by law.

ADOPTED: _____

City Clerk