

ORDINANCE NO: 2162

INTRODUCED BY: DIAZ, DOUGLAS, ELLIOT, FORD, FRANK, GUARDIOLA, HUSEMAN, MADERA, TETER

AN ORDINANCE CREATING SECTION 11-2104 OF THE COMMERCE CITY TRAFFIC CODE REGARDING PERSONS REMAINING IN MEDIANS.

WHEREAS, the City of Commerce City, Colorado has adopted the Model Traffic Code published by the Colorado Department of Transportation;

WHEREAS, the City of Commerce City, Colorado has instituted the Commerce City Traffic Code to regulate conduct in the streets and rights-of-way in Commerce City for the benefit of their safety and welfare of persons in and traveling through Commerce City;

WHEREAS, from time-to-time, provisions of the Commerce City Traffic Code require amendments to effectuate changes for the benefit of the health, safety, and welfare of the public;

WHEREAS, the City of Commerce City, Colorado wishes to take action to protect persons crossing the roadways, to prevent vehicle operators from unnecessary distractions, and to prevent automobile-pedestrian accidents especially where such accidents can result in significant physical injuries;

WHEREAS, the City Council of the City of Commerce City has determined that it is in the best interests of the public and the residents of Commerce City to add Section 11-2104 to the Commerce City Traffic Code to prohibit persons from remaining on medians for longer than is necessary to cross the street.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOW:

SECTION 1. That the Commerce City Traffic Code is hereby amended to add Section 11-2104 as set forth in "Exhibit A" attached hereto and incorporated herein by reference.

SECTION 2. Except as specifically set forth herein, the provisions of the Commerce City Traffic Code shall remain unchanged and in full force and effect.

SECTION 3. This ordinance shall become effective as provided by the Charter of the City of Commerce City.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 5TH DAY OF MARCH, 2018.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 2ND DAY OF APRIL, 2018.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk

EXHIBIT A

Sec. 11-2104. Persons not to remain on medians.

- (a) *Definitions.* For purposes of this section, the following words shall have the following meanings:

Median means any area of a street, roadway, or public driveway defined by painted, raised, or depressed channelization barriers or markers, usually in the middle of the roadway, at driveways, or at intersections, which control turning movements or separate traffic lanes.

- (b) *Prohibition.* It shall be unlawful for a person to remain upon a median, or any portion of a crosswalk, for longer than is reasonably necessary to cross the street or roadway.
- (c) *Exemptions.* This section does not apply to (i) persons authorized by the City to maintain or work on the median, (ii) persons employed by a public utility to maintain or work on the median while performing such maintenance or work, (iii) areas within medians designated as transit stops, and (iv) medians abutting a street closed to vehicular traffic for the purposes of permitted activity on the street or roadway.