



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **November 15, 2011** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **November 16, 2011** in accordance with the applicable provisions of law.

Ordinance No. 2011-356

Amending The Municipal Code By Adoption Of A
Complete Streets Policy

WHEREAS, the City of Rochester recognizes that its transportation network (e.g., streets, sidewalks, trails, and pathways) is intended to balance the needs and interests of all users of all ages and abilities; and

WHEREAS, streets are a key factor in the experience of the public realm and play a crucial role in economic development, public safety and health, and overall quality of life; and

WHEREAS, the design and function of our streets has often favored the motorist over other users, notably bicyclists, pedestrians, transit users, and persons with disabilities; and

WHEREAS, Active Transportation seeks to better integrate physical activity into our daily lives through increased emphasis on walking, bicycling, and public transportation; and

WHEREAS, Active Transportation improves public health, reduces traffic congestion, enhances air quality, and supports local economic development; and

WHEREAS, the City of Rochester recently completed the Rochester Bicycle Master Plan which serves as a guide for public investment in bicycle-supportive facilities and services; and

WHEREAS, the City of Rochester seeks to create an interconnected network of transportation facilities which accommodate all modes of travel in a manner that is consistent with neighborhood context and supportive of community goals; and

WHEREAS, Complete Streets are defined as streets that are planned, designed, operated, and maintained to enable safe access for all users and upon which pedestrians, bicyclists, transit users, persons with disabilities, and motorists of all ages and abilities are able to safely move along and across; and

WHEREAS, the City of Rochester seeks to establish a Complete Streets policy to incorporate Active Transportation into the planning, design, and operation of all future City street projects whether new construction, reconstruction, rehabilitation, or pavement maintenance (i.e., mill & resurface, micropave, and overlay treatments); and

WHEREAS, it is further recognized that certain streets may not be feasible, whether physically or financially, for Complete Streets accommodation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. There is hereby added to the Municipal Code the following new Section 104-29:

Section 104-29. Complete Streets Policy.

- A. Purpose. The City seeks to create an interconnected network of transportation facilities which accommodate all modes of travel in a manner that is consistent with neighborhood context and supportive of community goals by establishing a Complete Streets Policy to incorporate active transportation into the planning, design, and operation of all future City street projects, whether new construction, reconstruction, rehabilitation, or pavement maintenance. Active transportation attempts to better integrate physical activity into our daily lives through increased emphasis on walking, bicycling, and public transportation. Active transportation improves public health, reduces traffic congestion, enhances air quality, and supports local economic development. Complete streets are streets that are planned, designed, operated, and maintained to enable safe access for all users, and upon which pedestrians, bicyclists, transit users, persons with disabilities, and motorists of all ages and abilities are able to safely move along and across.
- B. The City Engineer shall include bicycle, pedestrian and transit facilities in all street construction, reconstruction, rehabilitation and pavement maintenance projects conducted by or on behalf of the City, as appropriate, subject to the exceptions contained herein.

- C. The City shall plan, design, build and maintain all bicycle, pedestrian, and transit facilities in accordance with accepted federal, state and local standards and guidelines, but will consider innovative and/or non-traditional design options, as appropriate.
- D. The incorporation of bicycle, pedestrian, and transit facilities shall be mandated in all street construction, reconstruction, rehabilitation and pavement maintenance projects undertaken by or on behalf of the City, except under one or more of the following conditions:
 - (1) The City Engineer determines there is insufficient space within the right-of-way to safely accommodate such new facilities.
 - (2) The City Engineer determines that establishing such new facilities would require an excessive and disproportionate cost.
 - (3) The City Engineer determines that inclusion of such new facilities would create a public safety risk for users of the public right-of-way.
 - (4) The project is limited to routine or seasonal maintenance activities such as mowing, sweeping, or spot pavement repairs, including chip and seal and crack seal activities.
 - (5) Bicyclists and pedestrians are prohibited by law from using the facility.
- E. The Traffic Control Board shall review all street construction, reconstruction, rehabilitation and pavement maintenance projects for consistency with this Policy.
- F. The City Council shall receive an annual report from the City Engineer on the City's consistency with this Policy with respect to all street construction, reconstruction, rehabilitation and pavement maintenance projects under design or construction by or on behalf of the City.
- G. Planning studies and/or engineering reports for street projects prepared by or on behalf of the City shall include documentation of compliance with this Policy.

Section 2. This ordinance shall take effect on December 1, 2011.

Passed by the following vote:

Ayes - President Warren, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Scott, Spaul - 9.

Nays - None - 0.

Attest

A handwritten signature in black ink, appearing to be 'D. B. ...', written over a horizontal line.

City Clerk