

ORDINANCE NO.

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That a new Article III (Complete Streets) be added in its entirety as set forth below to Chapter 262 (Streets, Sidewalks and Parking Areas) of the Middletown Code of Ordinances, and that all resolutions inconsistent herewith, including Resolution 75-12, are hereby repealed:

ARTICLE III (Complete Streets)

§ 262-61 Complete Streets.

- A. This Article and Section shall be entitled the Complete Streets Ordinance.
- B. As used in this Article and Section, the following terms shall have the meanings indicated:
 - 1. *Complete Streets* are roadways that are designed and operated to provide safe and convenient access to all Users.
 - 2. *Complete Streets Committee* is a standing committee of no more than six persons, nominated by the Mayor, confirmed by the Council, and serving four-year terms. No more than two-thirds of the Committee may be of the same political party. Should a vacancy occur in a seat, it will be filled through Mayoral nomination and Council confirmation.
 - 3. *Complete Streets Master Plan* is a comprehensive plan detailing the steps to be taken to implement this Ordinance, as approved and adopted by the Planning and Zoning Commission.
 - 4. *Users* are all people that use roadways, including pedestrians, bicyclists, public transportation riders, and motorists and includes people of all ages and abilities, including children, seniors and individuals with disabilities.
 - 5. *Transportation Improvement Project* is any public or private investment within the public right of way, regardless of funding source, including, but not limited to, new construction, reconstruction, alteration, and maintenance inclusive of road resurfacing, except that a Transportation Improvement Project shall not include routine upkeep such as cleaning, sweeping, plowing or spot repair.
- C. This Article and Section shall require the implementation of Complete Streets in appropriate locations within the City of Middletown by the Public Works Department, Public Works and Facilities Commission in collaboration with the Police Chief/Traffic Authority and other transportation agencies as necessary for review, as follows:

1. The Public Works Department/Public Works and Facilities Commission, in collaboration with the Complete Streets Committee, will review all Transportation Improvement Projects being designed for implementation within the City limits and explore opportunities to meet the needs of all Users, including but not limited to motorists, pedestrians, bicyclists, and transit vehicles, in a manner consistent with the Complete Streets Master Plan.
2. All Transportation Improvement Projects located within 1,000 feet of a school, commercial center, or bus stop will include infrastructure designed to accommodate pedestrians, as recommended by Complete Streets Committee and affirmed by the Public Works and Facilities Commission to be sent to the Common Council for consideration.
3. The requirements of the Complete Streets Ordinance will not apply to Transportation Improvement Projects:
 - a. Where specific users are prohibited by law (e.g. interstate highways or pedestrian-only pathways); or
 - b. Where the cost of accommodations necessary to implement Complete Streets has been demonstrated and documented to be excessively disproportionate to the need or probable use. The Public Works Department must document the rationale for exemption from the Complete Streets Ordinance in such cases.
 - c. When a Transportation Improvement Project is to be funded by a road bond passed prior to the date of passage of this ordinance, and when such road bond funding and scope is inadequate to include Complete Streets improvements in that specific project, consideration will be given by the Public Works Commission, the Complete Streets Committee, and Common Council in order to determine whether additional funding should be appropriated to include Complete Streets improvements in that project.

Submitted by: Chairwoman and Councilwoman Mary Bartolotta

Approved by: General Counsel Commission at its meeting held on February 18, 2016.

Status:
by Common Council, City of Middletown
at its meeting held on: