

## ORDINANCE NO. 655-2024

### AN ORDINANCE ESTABLISHING POLICIES AND PROCEDURES FOR THE INSTALLATION OF TRAFFIC CALMING MEASURES ON PUBLIC RIGHTS-OF-WAY IN THE CITY OF SPANISH FORT

**WHEREAS**, *Alabama Code* (1975) § 11-49-80 vests management and control of municipal streets, alleys 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 implementing traffic calming measures for certain streets, alleys and public ways.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

#### SECTION 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:

- (1) *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.
- (2) *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 approximately eight inches wide and one-half inch high, spaced on approximately ten-inch gaps.
- (3) *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.
- (4) *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.
- (5) *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.
- (6) *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.

#### SECTION 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, City staff and the City Council shall review the following criteria:

- (1) *Traffic volume.*
- (2) *Speed criteria.*

(3) *Roadway classification criteria.* Traffic calming devices will not be installed on roadways which are classified in the City's major street plan.

(4) *Roadway geometric criteria.* Traffic calming devices will not be installed in the following roadway geometric conditions:

- a. A horizontal curve or a vertical curve where the visibility of the traffic calming device is restricted, or on an approach to such curves;
- b. On roadways at any location where the grade exceeds five percent, including the approaches to each traffic calming device installation;
- c. On roadways more than two lanes wide or less than 18 feet wide;
- d. On roadways having a posted speed limit of greater than 30 miles per hour;
- e. Where placement of traffic calming devices are impractical due to the location of the public roadway intersections and/or driveways.

(5) *Accident criteria.* Accident patterns should be considered to determine trends of accidents which:

- a. Might have been prevented if vehicle operating speeds were generally lower on the subject roadway; or
- b. 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.

(6) *Increase in traffic on other roadways as a result of the installation of traffic calming devices.*

(7) *Emergency access and route criteria.* Traffic calming devices shall not be permitted on roadways which serve as a primary route for emergency vehicles.

(8) *Public involvement criteria.* Public requests for the installation of traffic calming devices shall be submitted by petition to the City 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 property owner'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 may be considered in the public involvement process.

a. 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 who should be notified or whose signatures should be included in the 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. No petition will be considered within one year of a previous petition covering the same geographic area.

b. The installation of traffic calming devices via petition must be approved by the homeowner's or property owner's association, or in absence of an established association, fifty-one percent of the owners of all parcels of property within the geographic impact area as determined by the City. In any case, only one signature/vote on a petition per parcel of property in the affected area will be counted.

c. Types of traffic calming devices, locations thereof, and other similar determinations, if any, shall be made in the sole discretion of the City.

d. Upon receipt of such petition, a copy of said petition will be submitted by the City Clerk to a committee made up of two City Councilmembers appointed by the Council, the Mayor, the Public Works Department Head, the Police Chief and the Fire Chief. The Committee shall make a recommendation to the City Council to approve or disapprove

the request at a publicly held committee meeting. Any recommendation of approval or denial by the Committee will state the general location where the traffic calming device or devices should be installed. All other criteria as to types of devices and placement thereof shall be in the discretion of the City engineer or other appropriate City personnel. The recommendation shall be forwarded to the City Council for review and consideration by the City Council.

**SECTION 3. Limitations on placement.**

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

- (1) *Speed bumps.* Because of their design, speed bumps are generally considered inappropriate for use on the public right-of-way.
- (2) *Speed humps.* Speed humps shall not be placed in the following locations:
  - a. On horizontal and vertical curves, or the approaches to such curves;
  - b. On a grade of five percent or greater, or the approach to such grades;
  - c. Adjacent to a driveway;
  - d. Within 250 feet of a traffic signal;
  - e. Within 50 feet of a public roadway intersection;
  - f. Over or near manholes;
  - g. Adjacent to fire hydrants; or
  - h. Immediately upstream of drainage inlets.
- (3) *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.
- (4) *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.

**SECTION 4. Approval by the City Council.** Notwithstanding any provision in this Ordinance to the contrary, in accordance with applicable state law, the City Council shall have and reserves the sole authority to approve or disapprove the installation of traffic calming devices on municipal streets as defined in *Alabama Code* (1975) § 11-49-80 on any terms and conditions deemed necessary, in its sole discretion. The City Council reserves the right to install or remove any traffic calming devices, in its sole discretion, with or without a petition or approval of the property owners in the geographic area.

**SECTION 5. Severability Clause.** If any part, section or subdivision of this Ordinance shall be held unconstitutional invalid for any reason, such holding should not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding. <sup>3</sup>

**SECTION 6. Repealer Clause.** This Ordinance shall become effective upon its adoption or as otherwise required by state law.

***ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.***

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Michael M. McMillan  
Mayor

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Rebecca A. Gaines  
City Clerk