

ORDINANCE NUMBER 14-80

ADOPTION OF PROPOSED AMENDMENT TO THE CODE OF ORDINANCE LEGISLATION FOR ADOPTION OF AMENDMENTS TO THE COMPLETE STREETS ORDINANCE

The Delta Township Board introduced the following ordinance amendment at its regular meeting held on December 16, 2013.

The Delta Township Board will consider adoption of the following ordinance amendment at its regular meeting scheduled for 6:00 p.m. on January 21, 2014.

The Ordinance Amendment was previously published in its entirety in this publication on December 21, 2013.

The Delta Township Board adopted The Ordinance Amendment at its regular meeting scheduled for 6:00 p.m. on January 21, 2014.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE CODE OF
ORDINANCE OF DELTA TOWNSHIP AS FOLLOWS:

DELTA CHARTER TOWNSHIP CODE OF ORDINANCES COMPLETE STREETS ORDINANCE

CHAPTER 34 STREETS, SIDEWALKS AND PUBLIC PLACES Article V. Complete Streets

SECTION 34 – 100. DEFINITIONS.

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

Complete Streets Infrastructure means roadways and/or public rights-of-way planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle.

Street Project means the construction, reconstruction, retrofit, or alteration, and includes the planning, design, approval, and implementation processes, except that “Street Project” does not include maintenance such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.

Users means legal users of the roadways and public right-of-way, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, and people of all ages and abilities including children, youth, families, older adults, and individuals with disabilities.

SECTION 34 – 101. PURPOSES.

The purposes of this ordinance are as follows:

1. To promote public health, safety, comfort, convenience, and general welfare of the community by providing opportunities for walking, bicycling, personal vehicular transportation and public transportation.
2. To encourage increased use of non-motorized modes of transportation.
3. To attempt to maximize access for all segments of the population including both persons with and without disabilities.

SECTION 34–102. COMPLETE STREET INFRASTRUCTURE.

1. The Township shall endeavor to make complete streets practices a routine part of operations, strive to make every street project accessible for all users, and coordinate efforts with other agencies and jurisdictions to achieve complete streets. The Township shall work in partnership with the Eaton County Road Commission and Michigan Department of Transportation to facilitate implementation of Complete Streets to the extent feasible, pursuant to this Ordinance.
2. To the extent possible, the Township resolves to consider complete streets practices for every street project in order to provide reasonably safe travel along and across the road right-of-way for each category of users; provided, however, that such infrastructure may be excluded, upon agreement of the Township Board and the applicable public road agency, subject to each agency's powers and duties, where documentation and data indicate that:
 - a. Use by non-motorized users is prohibited by law.
 - b. The cost would be excessively disproportionate to the need or probable future use over the long term, or funding is simply not available.
 - c. There is an absence of current or future need.
 - d. Inclusion of complete streets infrastructure would be unreasonable or inappropriate in light of the scope of the project.
 - e. Implementation of complete streets infrastructure is not possible due to physical restraints imposed by the project area.

3. As feasible pursuant to sub-section 34-102 (2), the Township will consider incorporating complete streets infrastructure into existing streets to improve the safety and convenience of users, construct and enhance the transportation network for each category of users, and create a walkable community.
4. As feasible pursuant to sub-section 34-102 (2), if the safety and convenience of users can be improved within the scope of a street project that includes pavement resurfacing, restriping, or signalization operations, the Township Board will review the possibility of incorporating complete streets improvements.
5. The Township will review all appropriate plans, zoning and subdivision codes, laws, procedures, and rules, including the Comprehensive Plan, Non-Motorized Transportation Plan, and Sidewalk Plan of the Township to attempt to address the needs of all users in all street projects on public and private streets. This shall be done through the normal course of revisions and updates to these documents.

SECTION 34 – 103. DATA COLLECTION, STANDARDS, AND PUBLIC INPUT.

1. The Township has collected a significant amount of data and obtained public input by various means pertaining to multiple modes of transportation which is reflected in the Township's Comprehensive Plan, Non-Motorized Transportation Plan, Sidewalk Plan, and Parks & Recreation Plan. Like any planning document, these plans may be amended and/or updated from time to time.
2. The Township shall continue to encourage public participation in decisions concerning the design and use of streets.
3. The Township shall work in concert with the Eaton County Road Commission and Michigan Department of Transportation when evaluating future roadway projects for the inclusion or feasibility of complete streets infrastructure.
4. All street projects requiring funding and/or approval by the Township Board shall:
 - a. Evaluate the effect of the proposed project on safe travel by all users.
 - b. Identify measures to mitigate any adverse impacts on such travel that are identified.
 - c. Achieve implementation of Complete Street Infrastructure to the extent feasible.

SEVERABILITY. If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confirmed in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

REPEAL. All ordinances or parts of ordinances of the Charter Township of Delta inconsistent herein are hereby repealed so far as they may be inconsistent with the provisions of this Ordinance.

EFFECTIVE DATE. This Ordinance shall take effect upon final publication as required by law.

CHARTER TOWNSHIP OF DELTA

MARY CLARK, TOWNSHIP CLERK

KENNETH FLETCHER, SUPERVISOR

I, Mary Clark, Clerk of the Charter Township of Delta, Eaton County, Michigan hereby certify that the foregoing is a complete ordinance adopted by the Township Board at their regular meeting on Tuesday, January 21, 2013.

CHARTER TOWNSHIP OF DELTA

MARY CLARK, TOWNSHIP CLERK

Introduced by Township Board	December 16, 2013
Published following first reading:	
Grand Ledge Independent	December 22, 2013
Delta Waverly Community News	December 22, 2013
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Published following final reading:	
Grand Ledge Independent	January 26, 2013
Delta Waverly Community News	January 26, 2013