



Planning, Streets and Traffic Committee

5:00 p.m., Monday, December 28, 2020

Join via internet at:

<https://us02web.zoom.us/j/89238484415?pwd=YnNtZ2F3WXp0MXVyVlBFN1B6cGhudz09>

Or call: 312-626-6799 or 929-436-2866 or 301-715-8592 or 346-248-7799 or 669-900-6833

Webinar ID: 892 3848 4415

Password: 750884

AGENDA

Bill No. 7888 - A Bill to establish a no parking zone on the westside of 24th Street West from a point 83 feet south of 7th Avenue West to a point 123 feet south of 7th Avenue West where 24th Street Wests intersects with an unnamed alley and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

Bill No. 7889 – A BILL to amend the Municipal Code of the City of Charleston, by adding thereto a new section, designated Section 114-671, in ARTICLE VIII, Chapter 114 of said Code, relating to prohibiting standing, congregating and obstructing the flow of traffic near an inherently dangerous intersection or highway and declaring halting or obstructing the flow of vehicular traffic a nuisance.

Discussion

Miscellaneous

Approval of the Minutes of the November 23, 2020 meeting

1 **Bill No.7888**

2 Passed by Council:

3 Introduced in Council

4 **December 7, 2020**

5
6 Introduced by:

Referred to

7 **Pat Jones**

Planning, Streets and Traffic

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10 **Bill No. 7888** - A Bill to establish a no parking zone on the westside of 24th Street West
11 from a point 83 feet south of 7th Avenue West to a point 123 feet south of 7th Avenue
12 West where 24th Street Wests intersects with an unnamed alley and amending the
13 Traffic Control Map and Traffic Control File, established by the code of the City of
14 Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section
15 263, Division 2, Article 4, Chapter 114, to conform therewith.

16 Be it Ordained by the Council of the City of Charleston, West Virginia:

17 Section 1. A Bill to establish a no parking zone on the west side of 24th Street West from
18 a point 83 feet south of 7th Avenue West to a point 123 feet south of 7th Avenue West
19 where 24th Street Wests intersects with an unnamed alley

20 Section 2. The Traffic Control Map and Traffic Control File, established by the code
21 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
22 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are
23 amended, to conform to this Ordinance.

24 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
25 repealed to the extent of said inconsistency.

Bill No. 7889

Introduced in Council:

December 21, 2020

Introduced by:

Chad Robinson

Adopted by Council:

Referred to:

**Planning/Streets & Traffic and
Public Safety**

Bill No. 7889 – A BILL to amend the Municipal Code of the City of Charleston, by adding thereto a new section, designated Section 114-671, in ARTICLE VIII, Chapter 114 of said Code, relating to prohibiting standing, congregating and obstructing the flow of traffic near an inherently dangerous intersection or highway and declaring halting or obstructing the flow of vehicular traffic a nuisance.

WHEREAS, the City of Charleston recognizes that the safety and security of the citizens is paramount; and

WHEREAS, the City of Charleston has received complaints regarding pedestrians obstructing the flow of vehicular traffic in highly traveled areas producing an immediate and severe risk for the walking and traveling public; and

WHEREAS, pursuant to W. Va. Code § 17C-10-1, the City is empowered by ordinance to require that pedestrians strictly comply with the directions of any official traffic-control signal and may by ordinance prohibit pedestrians from crossing any roadway in a business district or any designated highways except in a crosswalk; and

WHEREAS, pursuant to W. Va. Code § 17C-7-13, a city adopting any such prohibitory regulation shall erect and maintain official signs on the controlled-access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs; and

WHEREAS, the Code requires uniformity and protection for its traveling citizens, walking and in vehicles, from obstructions posing significant threat of serious injury.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston is hereby amended by adding thereto a new section, designated Section 114-671, in ARTICLE VII, Chapter 114 to read as follows:

CHAPTER 114. – TRAFFIC ORDINANCE.

ARTICLE VIII. – PEDESTRIANS.

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36 **Sec. 114-671. – Pedestrian obstruction along an inherently dangerous intersection**
37 **or highway prohibited; nuisance declared for congregating along a public way and**
38 **refusing to clear.**
39

40 (a) No person or persons shall willfully stand or congregate within 25 feet of an
41 inherently dangerous intersection or highway with the intent of attracting or distracting the
42 attention of the operator of a motor vehicle for any reason. The City shall post signage
43 indicating inherently dangerous intersections where this conduct is prohibited.

44 (b) Congregating with another or others in or on any public way so as to halt the
45 flow of vehicular or pedestrian traffic and refusing to clear such public way when ordered
46 to do so by a peace officer or other person having authority is declared a public nuisance.

47 (c) For the purposes of this section, "*inherently dangerous intersection or highway*"
48 shall be defined as any intersection within the City of Charleston where vehicular traffic
49 is permitted to flow at a speed of 40 miles per hour or above, or where vehicular traffic is
50 engaging in the egress or ingress upon a controlled access highway, or within the
51 immediate proximity of a bridge.

52 (d) For the purposes of this section, "immediate proximity of a bridge" shall be
53 defined as within a one block radius of the entry or exit of a bridge.

54 (e) In addition to any administrative remedy provided in this Code, violations of this
55 section constitute a criminal misdemeanor, subject to criminal citation and punishable by
56 a fine of not more than \$500.00. Every day or portion thereof that a person fails or refuses
57 to remedy a violation shall be considered a separate offense. A person who has two
58 convictions under this section in the twelve months prior to a third citation shall, upon a
59 third conviction, be punished by a fine of not more than \$500.00 or by imprisonment for
60 not more than ten days or both.
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