

**CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HULTIN
COUNCIL BILL NO. 08
ORDINANCE NO. 1714
Series 2021**

**TITLE: AN ORDINANCE ADOPTING SECTION 16-69 OF THE
WHEAT RIDGE CODE OF LAWS CONCERNING
PEDESTRIANS HINDERING THE FLOW OF TRAFFIC**

WHEREAS, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, traffic safety statistics for the City demonstrate that traffic crashes involving pedestrians have increased significantly; and

WHEREAS, conduct by a pedestrian that distracts a driver's attention from a roadway, that hinders traffic, or that otherwise obstructs a roadway, increases the dangers to both pedestrians and to those traveling in vehicles; and

WHEREAS, it is incumbent on both pedestrians and motorists to be vigilant and consider the safety of others; and

WHEREAS, the dangers associated with interactions between motorists and pedestrians increase the government's interest in controlling pedestrian interactions with motorists in the traveled portion of a roadway; and

WHEREAS, working to maximize the distance between the traveled portion of a roadway and pedestrians will increase pedestrian and traffic safety; and

WHEREAS, working to reduce the circumstances and minimize the time during which pedestrians are in close proximity to traffic will increase pedestrian and traffic safety; and

WHEREAS, the City Council finds that adoption of laws relating to the regulation of pedestrians who are in close proximity to roadways within the City is necessary to protect the health, safety, and welfare of the public.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Section 16-69, Pedestrian Hindering the Flow of Traffic is hereby adopted within Chapter 16, Miscellaneous Offenses, of the Wheat Ridge Code of Laws, to read as follows:

Sec. 16-69. Pedestrian hindering the flow of traffic.

- a. Legislative declaration; purpose. The city council hereby finds that collisions between pedestrians and motorists in Wheat Ridge have increased significantly and declares it necessary to clearly delineate the responsibilities of pedestrians to allow for safer pedestrian and motorist interactions throughout the city.
- b. The purpose of this ordinance is to reduce dangers to persons and property, to prevent traffic delays, and to avoid interference with traffic. Efforts to reduce the possibility that pedestrians may interfere with vehicular traffic are key to promoting pedestrian and traffic safety. The city council finds that this ordinance is necessary to protect the health, safety, and welfare of the public.
- c. Definition. The following word, when used in this section, shall have the meaning ascribed to it in this section, except where the context clearly indicates otherwise:
 - *Obstruct* means to render impassable or to render passage unreasonably inconvenient or hazardous, and includes but is not limited to, conduct such as extending objects into the traveled portion of a roadway.
- d. Unlawful act. It shall be unlawful for any person to willfully and unnecessarily hinder, obstruct, or delay traffic, or to willfully and unnecessarily attempt to hinder, obstruct, or delay any other person who is lawfully driving or traveling along or upon any roadway so as to interfere with the effective movement of traffic.
- e. Exception: This section shall not apply to any person within a crosswalk who lawfully entered the crosswalk and is crossing from one side of the traveled portion of the roadway for that period of time reasonably necessary to cross over the roadway.
- f. Penalty. Any violation of this section may be punished by a fine not to exceed the limits established in section 1-5 of this Code or such alternative sentence as the Municipal Judge shall determine.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall take effect immediately upon adoption, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 24th day of May 2021, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for June 14, 2021 at 7:00 o'clock p.m., as a virtual meeting and in City Council Chambers, 7500 W. 29th Avenue, if allowed to meet in person on that date per COVID-19 restrictions, and that it takes effect immediately upon adoption.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 14th day of June 2021.

SIGNED by the Mayor on this 14th day of June 2021



Bud Starker, Mayor

ATTEST:



Steve Kirkpatrick, City Clerk

Approved as to Form



Gerald Dahl, City Attorney

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