



STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
ORDINANCE NO. _____
(Enacted _____)
CREATING NEW ORDINANCE Chapter
CHAPTER 32 -
STREETS AND SIDEWALKS

An ordinance approving Creation of Chapter 32 - Titled Streets and Sidewalks within the existing Code of Ordinances, Village of Stockbridge Michigan.

recitals

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted the Village of Stockbridge Zoning and Land Use Ordinance (hereinafter the Zoning Ordinance) on October 1, 2019, which was adopted under the *Zoning Enabling Act of 2006*; and

WHEREAS, the Villages President requested that the Villages Planning Commission assume the responsibility for drafting a Pedestrian Passage ordinance and

WHEREAS, the Village President, the Planning Commission, therefore, determined that a text amendment to an existing section was not applicable and warranted a new Chapter to existing Zoning Ordinance to make the ordinance accurate and more user friendly, while still maintaining the historic quality of the village,

WHEREAS, the Planning Commission met for several months developing revisions to the Zoning Ordinance; and

WHEREAS, the Planning Commission is therefore charged with coming up with the proposed language of the new chapter then scheduling a public hearing to take public comment on the proposed amendment, pursuant to Section 6-329 (a) of the Zoning Ordinance; and

WHEREAS, the Planning Commission has determined, via this Amendment, proposed Chapter - 32 be added to Code of Ordinances Village of Stockbridge Michigan as set forth below; and

WHEREAS, the Planning Commission proposed to consider the language of proposed Amendments to Code of Ordinances Village of Stockbridge Michigan and set a public hearing and took public comment as follows:

- a. For 6:30 p.m. on Thursday, August 03, 2023, for New Chapter - 32 to Code of Ordinances Village of Stockbridge Michigan notices in the methods proscribed by MCL 125.3103 and MCL 125.3202;

WHEREAS, after taking into consideration the public's comments, Section 6-329 (b) of the Zoning Ordinance required the Planning Commission to identify and evaluate all factors relevant to the petition and report its findings and recommendation to the Village Council, taking into consideration the criteria for amendments of the official Zoning Ordinance set forth in Section 6-331 of the Zoning Ordinance.

WHEREAS, all costs the Village incurs in developing these amendments shall be charged to the Planning Commission account, Village of Stockbridge, in accordance with Article III, Section 6.47, including the actual costs incurred by the Village, the Planning Commission, and/or the Zoning Administrator for:

- A. Any publication or mailing costs required by this Ordinance and/or state law;
- B. Any traffic reports deemed necessary to complete the processing of the request;
- C. Any legal services deemed necessary to complete the processing of the request;
- D. Any planner fees deemed necessary to complete the processing of the request;
- E. Any zoning administrator fees deemed necessary to complete the processing of the request;
- F. Any topographic studies deemed necessary to complete the processing of the request;
- G. Any engineering services deemed necessary to complete the processing of the request;
- H. Any other fees incurred by any other consultants deemed necessary by the above-named governmental officials and/or entities to complete the processing of the request.

WHEREAS, the Planning Commission, after taking into account the input from the public hearings set forth above, in accordance the Zoning Ordinance and the Zoning Enabling Act, considering the criteria of Section 6-331 (a) - (h), recommended adoption of the New proposed Chapter - 32 to Code of Ordinances Village of Stockbridge to the Village Council.

Ordinance

32:01. - Pedestrian passage.

At least 5 feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians and if the building operations are such that such free passageway is impracticable, a temporary plank sidewalk with substantial railings or sidewalk shelter built providing safe passage around such obstruction.

32:02. - School crossing guards.

- (1) Designation of crossing guard intersection. The Chief of Police, or his/her designee, shall make recommendations to the Village Council to designate certain intersections within the Village of Stockbridge, as crossing guard intersections. Such intersections may be serviced by a crossing guard at times set by the Chief of Police or his/her designee. In determining which intersections should be so designated, the Chief of Police, or his/her designee shall take into account the following factors: (1) the vehicle gap pattern; (2) the volume of pedestrian traffic; (3) the speed limit of the streets; (4) the availability of traffic control devices with pedestrian signals; (5) vehicle and sight distance; (6) alternate routing available; (7) the number of vehicle turning movements; (8) the age and grade of the school children using the intersection; (9) any other factors the Chief of Police or his/her designee deems important to the safety of the school children. The weight to be given each factor shall be determined by the Chief of Police or his/her designee. A list of those intersections so designated shall be on file with the Village Clerk.
- (2) Appointment. The Chief of Police or his/her designee is hereby authorized to appoint school crossing guards to service designated crossing guard intersections.
- (3) Duties, qualifications, removal and compensation of school crossing guards. The Chief of Police or his/her designee shall promulgate rules and regulations concerning the duties, qualifications and removal of the school crossing guards. The crossing guards shall perform their duties under the direction of the Police Department and in compliance with said rules and regulations. School crossing guards shall have the authority to stop traffic so that school children and pedestrians can cross designated intersections.
- (4) Badges, dress, insignia and equipment. School crossing guards shall wear such badges, dress and insignia as the Chief of Police or his/her designee shall direct and shall be equipped in the manner which said chief or designee deems necessary for the proper discharge of their duties.
- (5) Unlawful exercise of authority by guards. It shall be unlawful for any school crossing guard to exercise his/her authority as such guard or to wear the uniform or insignia or to display his/her badge in an attempt to exercise his/her authority, except during the performance of actual authorized duty.
- (6) Impersonation of guards. It shall be unlawful for any person not duly appointed and sworn in as a school crossing guard to impersonate such officer or to wear, carry or display the badge, designated dress or insignia of a school crossing guard.

- (7) Duty to stop. No driver of any vehicle shall willfully fail or refuse to obey a school crossing guard's lawful order to stop when the school crossing guard is in a school crossing and is holding a stop sign in an upright position visible to approaching vehicular traffic.

32-03. - Protection of blind pedestrians.

It shall be unlawful for any person, except persons wholly or partially blind, to carry or use upon the public streets and highways of the Village of Stockbridge any canes or walking sticks which are white in color or white with red end or bottom: provided, that such canes or walking sticks may be used upon the streets, highways and other public places of the city by persons wholly or partially blind as a means of protecting them and for the purpose of identifying them to drivers of vehicles and operators of motor driven vehicles and other pedestrians with whom they come in contact on such streets, highways and public places.

- (a) Any driver of a vehicle, operator of a motor driven vehicle or pedestrian who approaches or comes in contact with a person who is wholly or partially blind carrying a cane or walking stick white in color or white with red end or bottom shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the person so carrying a white cane or walking stick.

32-04 - Pedestrians crossing streets.

- (a) When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall stop before entering a crosswalk and yield the right-of-way to any pedestrian stopped at the curb, curb line or ramp leading to a crosswalk and to every pedestrian within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (b) A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into a path of a vehicle that is so close that it is impossible for the driver to yield.
- (c) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

32:05. - Safe passing of bicyclists, pedestrians, and persons in wheelchairs.

- (1) Except as otherwise provided in this section, the driver of a motor vehicle, when passing a bicyclist who is proceeding on the roadway in the same direction as the vehicle, shall pass the bicyclist at a safe distance, which, shall be at least a 5-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist.
- (2) The driver of a motor vehicle, when passing a bicyclist who is lawfully proceeding on the left side of the roadway in the same direction as the vehicle, shall pass the bicyclist at a safe distance, which shall be at least a 5-foot separation between the left side of the driver's vehicle, including all mirrors or other projections, and the right side of the bicyclist.
- (3) The driver of a motor vehicle, when passing a bicyclist who is proceeding in the opposite direction of motor vehicle traffic on a one-way street and who is in a contra-flow bicycle lane on the left side of the street, shall pass the bicyclist at a safe distance, which shall be at least a 5-foot separation between the left side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist.
- (4) The driver of a motor vehicle, when passing a bicyclist who is proceeding in the opposite direction of motor vehicle traffic on a one-way street and who is in a contra-flow bicycle lane on the right side of the street, shall pass the bicyclist at a safe distance, which shall be at least a 5-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the right side of the bicyclist.
- (5) The driver of a motor vehicle, when passing a pedestrian on the roadway, shall pass the pedestrian at a safe distance, which shall be at least a 5-foot separation between the side of the vehicle nearest the pedestrian and the side of the pedestrian nearest the vehicle.
- (6) The driver of a motor vehicle, when passing a person in a wheelchair on the roadway, shall pass the person at a safe distance, which shall be at least a 5-foot separation between the side of the vehicle nearest the wheelchair and the side of the wheelchair nearest the vehicle.
- (7) For purposes of this section, "contra-flow bicycle lane" means a bicycle lane that provides for bicycle travel in the opposite direction of motor vehicle traffic on a one-way street.

32: 06 - Violations and penalties

- (a). Violation of this ordinance are subject to the penalties imposed by Section 6-50
Violations and Penalties of Zoning Ordinance

Adopted at a Regular Meeting of the Village of Stockbridge held on _____.

Moved by: _____

Seconded by: _____

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Village of Stockbridge

By: Jill Ogden
Its: Village President

Certification of Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a regular meeting held on the ____ day of _____, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act, and the foregoing Ordinance was published in a newspaper of local circulation on _____, 2023.

Village of Stockbridge

Heather Armstrong

Village Clerk
Village of Stockbridge
305 W. Elizabeth Street, Room 107
Stockbridge, MI 49285
517.851.7435 (Office)
Email: clerk@vosmi.org

~~Drafted by: John L. Gormley (P53539)
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It's Planning Commission
Gormley Law Offices, PLC
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