

CITY CLERK'S OFFICE
CITY HALL

BUFFALO June 11, 2008

To Whom It May Concern:

I hereby Certify, That at a Session of the Common Council of the City of Buffalo, held in the City Hall, on the 27th day of May 2008 The following item was Passed which the following is a true copy

NO. 96
ORDINANCE AMENDMENT - CHAPTER 413- STREETS AND SIDEWALKS
(ITEM NO. 115, C.C.P. MAY 13, 2008)

That the Ordinance Amendment as contained in Item No. May 13, 2008, be and the same hereby is approved.
PASSED
AYES - 9 NOES - 0

The following item has the information

NO. 115
BY: MESSRS. LOCURTO, RIVERA AND GOLOMBEK
RE: ORDINANCE AMENDMENT
CHAPTER 413, STREETS AND SIDEWALKS
ARTICLE XIV, COMPLETE STREETS

The Common Council of the City of Buffalo does hereby ordain as follows:

That Chapter 413 of the Code of the City of Buffalo be amended to read as follows:

§413-68 Complete Streets Defined

A. Complete Streets are defined as facilities that are designed and operated to enable safe access for all users. Persons with disabilities, pedestrians, bicyclists, motorists and transit riders are able to safely move along and across a complete street.

§413-69 Implementation of Complete Streets and Exceptions

A. The Commissioner of Public Works, Parks and Streets shall include pedestrian and bicycle facilities in all new street construction, street reconstruction, street maintenance, public works and park projects undertaken by the City of Buffalo subject to the exceptions contained herein.

B. The City of Buffalo Bicycle and Pedestrian Advisory Board shall review all new street construction, street reconstruction and street maintenance projects undertaken by the City of Buffalo and shall provide consultation regarding its implementation as a complete street.

C. The inclusion of bicycle and pedestrian facilities shall be mandated in all new street construction, street reconstruction and street maintenance projects undertaken by the City of Buffalo unless one of the following conditions exists:

1. Bicyclists and pedestrians are prohibited by law from using the facility. In this case, alternative facilities and accommodations for pedestrians and bicyclists shall be provided within the same transportation corridor as determined by the Commissioner of Public Works, Parks and Streets.

2. The cost of establishing bikeways or walkways would be disproportionate to the need or probable use. Costs shall be considered disproportionate for purposes of this section if the cost of including bicycle and pedestrian facilities exceeds twenty percent of the cost of the larger project.

3. Where the existing right of way does not allow for sidewalks, bike lanes, paths or other improvements. In this case, the Commissioner shall explore alternatives such as the use of revised travel lane configurations, paved shoulders, signage, traffic calming, education or enforcement to accommodate pedestrians, cyclists and persons with disabilities. If the Commissioner makes said determination he shall reduce it to writing and file it with appropriate supporting documentation with the Common Council and Bicycle and Pedestrian Advisory Board for its information and review.

4. Where the Commissioner determines that the inclusion of bicycle and/or pedestrian facilities on a roadway would constitute a threat to the health, safety and/or

welfare to the motorists and/or pedestrians and bicyclists of the City of Buffalo. If the Commissioner makes said determination he shall confirm it in writing and file it with appropriate supporting documentation with the Common Council and Bicycle and Pedestrian Advisory Board for its information and review.

§413-70 Planning, Design and Maintenance of Facilities

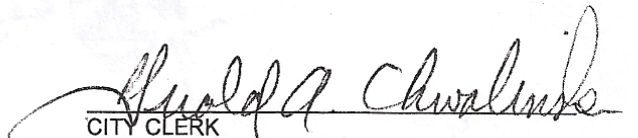
A. Bicycle and Pedestrian facilities will be planned, designed, developed and maintained in accordance with guidelines adopted by the United States Department of Transportation (USDOT), New York State Department of Transportation (NYSDOT) and the American Association of State Highway and Transportation Officials (AASHTO) or other guidelines approved by the City of Buffalo.

APPROVED AS TO FORM

NOTE: Matter underlined is new.

REFERRED TO THE COMMITTEE ON LEGISLATION

ATTEST


CITY CLERK

The above item was signed by the Mayor on 6/5/08 and returned to The City Clerk's Office on 6/11/2008