

DATE: April 19, 2016

TO: Michael O. Geisel, P.E.
Director of Public Services

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

RE: Temporary Traffic Control Devices and Signs



As you know, the St. Louis County Department of Transportation will improve Baxter Road from Clarkson Road to Wild Horse Creek Road through a project which will commence later this spring. During construction, St. Louis County plans to temporarily reduce the speed limit on Baxter Road, within the construction limits, by ten miles per hour. I have reviewed the City of Chesterfield Municipal Code and found no provision which allows the City of Chesterfield to temporarily reduce speed limits during road construction projects or special conditions. Accordingly, I have drafted a revised Section 300.130 - Authority to install traffic control devices (attached). If adopted, this revised section of Code will allow the City Traffic Engineer to install temporary regulatory traffic control signs and devices. Additionally, the revised section of Code stipulates that temporary traffic control devices installed by St. Louis County and the Missouri Department must be obeyed. }

This legislation has been reviewed by the City Attorney. I recommend passage to codify the City's right to install temporary traffic control devices and to assist in the enforcement of temporary traffic control devices installed by St. Louis County and MODOT.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee for consideration. Should PPW concur with Staff's recommendation, the ordinance should be forwarded to the full City Council for adoption.

*Forward to PPW
For Review & ACTION
moe
4/19/2016*

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND REPLACING SECTION 300.130 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES WITHIN THE CITY OF CHESTERFIELD CODE OF ORDINANCES.

WHEREAS, the Department of Public Services has reviewed the existing Model Traffic Ordinance of the City Code of the City of Chesterfield; and

WHEREAS, the existing Model Traffic Ordinance does not contain provisions for the temporary posting of roadways during public emergencies, road construction projects, and other special conditions; and

WHEREAS, the City Council believes that enactment of the new ordinance will serve to protect the health, welfare and safety of the city's residents and motoring public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AS FOLLOWS:

Section 1. Section 300.130 as it relates to the Authority to install traffic control devices is hereby repealed and replaced with a new Section 300.130 to read as follows:

Sec. 300.130 Authority to install traffic control devices

The City Traffic Engineer shall place and maintain traffic control signs, signals, and devices when and as required under the Model Traffic Ordinance of the City to make effective the provisions of said Ordinances, and may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the Model Traffic Ordinance of the City or under law or the guide or warn traffic.

In the case of public emergency, road construction, or special conditions, the City Traffic Engineer shall install temporary regulatory traffic control signs and devices. These temporary signs and devices shall be obeyed in the same manner as permanent signs and devices installed by the Model Traffic Ordinance. Temporary traffic control signs and devices installed by the Missouri Department of Transportation or the St. Louis County Department of Transportation shall also be obeyed in the same manner as permanent signs and devices installed by this ordinance.

Section 2. In all other respects, the Model Traffic Ordinance is in full force and effect.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

FIRST READING HELD _____

ARTICLE IV
Traffic Control Devices

Sec. 300.130. Authority to install traffic control devices.

The City Traffic Engineer shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the City to make effective the provisions of said ordinances, any may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the traffic ordinances of the City or under State law or to guide or warn traffic.

Sec. 300.135. Manual and specifications for traffic control devices.

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the State Highway Commission or resolution adopted by the legislative body of the City. All signs or signals required hereunder for a particular purpose shall go so far as practicable be uniform as to type and location throughout the City. All traffic control devices so erected and not inconsistent with the provisions of this ordinance shall be official traffic control devices.

Sec. 300.140. Obedience to traffic control devices.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this ordinance, unless otherwise directed by a Traffic or Police Officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

Sec. 300.145. When official traffic control devices required for enforcement purposes.

No provision of this ordinance for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

Sec. 300.150. Official traffic control devices — Presumption of legality.

1. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
2. Any official traffic control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence.