



Legislation Text

File #: 21-0132, **Version:** 1

Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 21, Motor Vehicles and Traffic, Article VI, Pedestrians, Sec 21-188 to prohibit pedestrians from loitering in the right-of-way of those areas of the City's public streets that the City Council has determined to present a public safety hazard.

PURPOSE/BACKGROUND:

The Mercury Boulevard corridor between the intersection with Big Bethel and Armistead has six of the City's eight intersections with the highest accident rates, including accidents involving vehicles hitting pedestrians. As a recent example, on December 17, 2020, a pedestrian was killed near the intersection of Aberdeen and Mercury when she was truck by a vehicle while attempting to cross the road. Staff is asking Council to adopt an ordinance pursuant to Virginia Code Sec. 46.2-930 prohibiting pedestrians from loitering in the right of way in that corridor. If such an ordinance is adopted, public works will place signs in designated areas along that corridor alerting pedestrians to the new ordinance.

Recommendation:

Adopt the ordinance.

Whereas, Va. Code § 46.2-930 authorizes the City Council to prohibit loitering in any portion of the right-of-way of such highways where loitering presents a public safety hazard; and,

Whereas, the City Council of Hampton has determined that certain areas of Mercury Boulevard present a particular safety hazard to pedestrians due to the occurrence of a high number of vehicular accidents, including those that involve pedestrians.

BE IT ORDAINED by the City Council of the City of Hampton, Virginia, that Section 21-188 of Article VI, Chapter 21 of the City Code of the City of Hampton, Virginia be adopted to read as follows:

Chapter 21 - MOTOR VEHICLES AND TRAFFIC

. . .

Article VI - PEDESTRIANS

. . .

Sec. 21-188. -Loitering on designated highway rights-of-way prohibited.

(a) No pedestrian shall sit, stand, or otherwise remain on any portion of the right-of-way of mercury boulevard beginning from the western side of the intersection of mercury boulevard and big bethel road and continuing to the eastern side of the intersection of Mercury Boulevard and Armistead Avenue.

(b) This section shall not apply to the following persons:

- (1) any pedestrian using a sidewalk for travel or a designated crosswalk to cross the roadway;
- (2) any person who is waiting at or near a bus shelter for the arrival of a bus;
- (3) any public safety personnel or other city personnel or city contractor who is operating in the course of his duties; or
- (4) any person participating in an event for which a special event permit has been issued pursuant to Sec. 2-318 of the City Code or which is exempt from that code.

State Law reference- Loitering on bridges or highway rights-of-way, Code of Virginia, § 46.2-930.