

DELHI CHARTER TOWNSHIP

INGHAM COUNTY, MICHIGAN

ORDINANCE NO. 123
COMPLETE STREETS ORDINANCE

PREAMBLE

AN ORDINANCE INTENDED TO ENCOURAGE HEALTHY, ACTIVE LIVING, REDUCE TRAFFIC CONGESTION AND DEPENDENCE ON FOSSIL FUELS, AND IMPROVE THE SAFETY AND QUALITY OF LIFE FOR RESIDENTS OF DELHI CHARTER TOWNSHIP BY PROVIDING SAFE, CONVENIENT AND COMFORTABLE ROUTES FOR MULTIPLE MODES OF TRANSPORTATION, INCLUDING BUT NOT LIMITED TO, WALKING, BICYCLING, PERSONAL VEHICLES AND PUBLIC TRANSPORTATION.

The Charter Township of Delhi, Ingham County, Michigan, ordains:

SECTION 1. TITLE.

This Ordinance shall be known as the Delhi Charter Township Complete Streets Ordinance.

SECTION II. DEFINITIONS.

The following words, terms and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Complete Streets Infrastructure means roadways planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle.

Street Project means the construction, reconstruction, retrofit, or alteration, and includes the planning, design, approval, and implementation processes, except that "Street Project" does not include maintenance such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.

Users means legal users of the public right-of-way, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities.

SECTION III. PURPOSE.

The purposes of this Ordinance are as follows:

1. To promote public health, safety, comfort, convenience, and general welfare of the community by providing opportunities for walking, bicycling, personal vehicular transportation and public transportation.
2. To encourage increased use of non-motorized modes of transportation.
3. To enable convenient travel as part of daily activities.
4. To improve the public welfare by addressing a wide array of health and environmental problems, and meet these needs for all constituents within the Township.
5. To provide for the orderly growth and harmonious development of the Township consistent with the comprehensive development plan and the zoning ordinance; and to secure adequate traffic circulation to the streets and highways.
6. To achieve the maximum utility and livability on individual parcels and within the community as a whole.
7. To continue to develop within the Township the Complete Streets Infrastructure that is vital to the creation of a sense of place within the community.
8. To provide logical procedures for the achievement of these purposes.

SECTION IV. REQUIREMENT FOR COMPLETE STREETS INFRASTRUCTURE

1. The Township shall make complete streets practices a routine part of operations, shall approach every transportation project and program as an opportunity to improve public and private streets and the transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve complete streets. The Township shall work in partnership with the Ingham County Department of Transportation and Roads to facilitate implementation of Complete Streets to the extent feasible, pursuant to this Ordinance.
2. The Township shall prioritize projects that are near public service areas (e.g. schools, government facilities, libraries, public health facilities, parks, hospitals, farm markets, etc.).
3. To the extent possible, every street project on public or private streets shall consider complete streets infrastructure sufficient to enable reasonably safe travel along and across the road right-of-way for each category of users; provided, however, that such infrastructure may be excluded, upon agreement of the Township and the Ingham County

Department of Transportation and Roads, subject to each agency's powers and duties, where documentation and data indicate that:

- a. Use by non-motorized users is prohibited by law.
 - b. The cost would be excessively disproportionate to the need or probable future use over the long term, or funding is simply not available.
 - c. There is an absence of future need.
 - d. Inclusion of complete streets infrastructure would be unreasonable or inappropriate in light of the scope of the project.
 - e. Implementation of complete streets infrastructure is not possible due to physical restraints imposed by the project area.
4. As feasible pursuant to sub-section (3) directly above, the Township shall incorporate complete streets infrastructure into existing public and private streets to improve the safety and convenience of users, construct and enhance the transportation network for each category of users, and create a walkable community.
 5. As feasible pursuant to sub-section (3) above, if the safety and convenience of users can be improved within the scope of a street project that includes pavement resurfacing, re-striping, or signalization operations, such projects shall implement complete streets infrastructure to increase safety for users.
 6. The Township shall review and either revise or develop proposed revisions to all appropriate plans, zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, templates, and design manuals, including the Master Plan and Non-Motorized Transportation Plan of the Township to integrate, accommodate, and balance the needs of all users in all street projects on public and private streets. This shall be done throughout the normal course of such revisions.

SECTION V. DATA COLLECTION, STANDARDS, AND PUBLIC INPUT.

1. The Township has collected data and significant public input. Based on that data and public involvement the Township has adopted a Non-Motorized Transportation Plan which outlines the desired Complete Streets Infrastructure throughout the Township. Like any planning document, it may be amended and/or updated from time to time.
2. The Township shall continue encourage public participation in decisions concerning the design and use of streets.
3. The Township shall work in concert with the Ingham County Department of Transportation and Roads when evaluating future roadway projects for the inclusion or feasibility of complete streets infrastructure.

4. All initial planning and design studies, development proposals, health impact assessments, environmental reviews, or other reviews for projects requiring funding and/or approval by the Township shall:
 - a. Evaluate the effect of the proposed project on safe travel by all users, and
 - b. Identify measures to mitigate any adverse impacts on such travel that are identified, and
 - c. Achieve implementation of Complete Street Infrastructure to the extent feasible.

SECTION VI. SEVERABILITY.

Sections of this Ordinance shall be deemed to be severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid. Further, nothing in this Ordinance shall be interpreted to conflict with state statutes on the same subject matter. Conflicting provisions of this Ordinance shall be abrogated to, but only to, the extent of the conflict. If any part of this Ordinance is found to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision. Such holding shall not affect the validity of the remaining portions thereof, and the remainder of the Ordinance shall remain in force.

SECTION XXI. SAVINGS CLAUSE.

The amendment or repeal by this Ordinance of any ordinance or ordinance provision shall have no effect upon prosecutions commenced prior to the effective date of this Ordinance or prosecutions based upon actions taken by any person prior to the effective date of this Ordinance. Those prosecutions shall be conducted under the Ordinance provisions in effect prior to the effective date of this Ordinance. Penalties which have been incurred and prosecutions for violations of law occurring before the effective date of this Ordinance are not abated by this Ordinance.

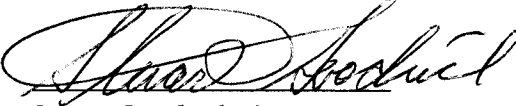
SECTION XXII. EFFECTIVE DATE.

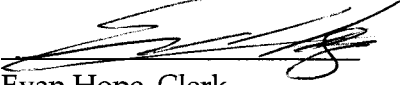
This Ordinance shall become effective thirty (30) days after its adoption and publication as required by law.

Ayes: Warfield, Bajema, Goodrich, Hayhoe, Ketchum, Sweet
Nay: None
Absent: Hope

First Reading: June 5, 2012
First Publication: June 10, 2012
Second Reading: June 19, 2012
Second Publication: June 24, 2012
Effective Date: July 24, 2012

Adopted by the Delhi Charter Township Board of Trustees at a regular meeting held on the 19th day of June, 2012 at 7:30 p.m.


Stuart Goodrich, Supervisor


Evan Hope, Clerk

I, Evan Hope, Clerk of the Charter Township of Delhi, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 123, duly adopted by the Board of Trustees of the Charter Township of Delhi, Ingham County, Michigan, on the 19th day of June, 2012, and that the same was published as required by law on the 10th and 24th day of June, 2012.


Evan Hope, Clerk