

INTRODUCED: November 12, 2019

AN ORDINANCE No. 2019-314

To amend City Code §§ 24-523, concerning the obligation to maintain, repair or reconstruct the site of an excavation, and 24-551, concerning the obligation to comply with excavation requirements in public rights-of-way, for the purpose of imposing a time period within which an excavation site shall be maintained, repaired, or reconstructed and prescribing new penalties for violations of ch. 24, art. VII of the City Code.

Patron – Mr. Addison

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 9 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 24-523 and 24-551 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 24-523. Obligation to maintain, repair or reconstruct.

Each owner that performs an excavation or causes an excavation to be performed in the public right-of-way shall, within at least three calendar days after the excavation is complete as determined by the Director of Public Works, maintain, repair or reconstruct the site of the

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

excavation as necessary to maintain a condition satisfactory to the Director until such time as the City reconstructs, repaves or resurfaces the public right-of-way.

Sec. 24-551. Compliance with article.

It shall be unlawful for any person to violate or to fail, refuse or neglect to comply with any section of this article. Except as otherwise provided in any section of this article, upon conviction, such person, in addition to the issuance of a stop work order pursuant to section 24-548, shall be punished for a class 3 misdemeanor, which shall include a fine of \$250.00 for a first offense, a fine of \$500.00 for a second or subsequent offense, and be paid to the City treasury.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Meghan K. Brown *MKB*
Interim Council Chief of Staff

FROM William E. Echelberger, Jr, Council Budget Analyst *[Signature]*

COPY Andreas D. Addison, 2nd District Representative
Haskell Brown, Deputy City Attorney
Daniel Wagner, 2nd District Council Liaison

RECEIVED

OCT 14 2019

OFFICE OF THE CITY ATTORNEY

DATE October 14, 2019

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TITLE RVA Streets for All Initiative – Implementing Ordinances

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Andreas D. Addison, 2nd District Representative

SUGGESTED STANDING COMMITTEE

Land Use, Housing, and Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests the following 7 ordinances to implement the RVA Streets for All Initiative:

- A. Making the following changes to the City's built environment:
 1. Establish a new All-Way Stop eligibility policy¹ by assigning points to an intersection based on safety factors. If an intersection meets, or exceeds a predetermined threshold of points, it will be eligible for an All-Way Stop. Points will be assigned based on the following factors:
 - a. Number of collisions;
 - b. Pedestrian volumes;
 - c. Automobile traffic volumes;
 - d. Traffic volume difference between intersecting streets;
 - e. The point requirement may be waived, and an all-way stop justified under one or more special provisions:
 - 1) Five or more crashes susceptible to correction by all-way stops occurring within a 12-month period;
 - 2) A traffic signal is warranted and is not yet able to be installed;

- 3) The intersection has a combination of atypical conditions that could be aided by the inclusion of an all-way stop, including the proximity to a school or other public attraction, to a fire station, to a park/playground, or is on a bus route, on a steep hill, or having extremely low visibility;
2. Establish standards and penalties for contractors regarding crosswalks and bike lanes
 - a. Penalize contractors and utilities that fail to replace crosswalks and bike lanes within 72 hours of completing work (or within a reasonable time frame due to the nature of the work) i.e., to their pre-construction condition, with an appropriately set fine structure or to discourage violation of this standard, and
 - b. Require that contractors create temporary protected walkways, bikeways, trails, and/or shared use paths if construction impedes a pedestrian walkway, bike lane, trail and/or shared use path—violation of this requirement would result in a revocation of the permit applicable to the development;
 - 4) Appropriate fine structure for primary offense
 - 5) Revocation of permit for secondary offense
- B. Changes to the rules of the road to prioritize safety and inclusivity over traffic flow:
3. Ban turns-on-red in City streets;
 4. Prohibit parking in a bicycle lane with a fine structure appropriately set to discourage parking;
 5. Ban the use of autonomous vehicles in the city.
 6. Allow cyclists to treat a Stop sign as a Yield sign, and red light traffic signals as Stop signs;
- C. Sustained learning and data collection to inform future policy and investment:
7. Require the Administration to submit a brief cross-departmental (DPW, RPD, RAA, and PDR) road safety audit to Council and present findings to the Committee on Public Safety if a collision in City streets causes a death or life-threatening injury;

BACKGROUND

Summary:

- The requested ordinances are intended to:
 - Support and extend the City's Vision Zero program, as set out in Resolutions 2016-R011 and 2017-R093,
 - Create and facilitate an inclusive streetscape that may be used safely and comfortably by all,
 - Encourage adoption of policies and procedures that encourage multi-modal transportation use over personal vehicle use, and
 - Re-assert the importance of pedestrian primacy in responsible urban growth.
- The patron believes that, through cross-departmental partnerships, empowerment of multi-modal community members, and a commitment to transparency and accountability, the City of Richmond will be able to improve safety, quality of life, and long term environmental sustainability for its residents.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	An expenditure of resources, including staff time, will be required. The costs cannot be estimated at this time.	

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 10/5/2012 /s/s