Passed 8-1
(Sabbaugh)

ORDINANCE 00-22

TO AMEND ORDINANCE 99-08 AND CHAPTER 15.26 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "NEIGHBORHOOD TRAFFIC SAFETY PROGRAM" (Authorizing the Permanent Installation of Traffic Calming Devices on Covenanter Drive Between College Mall Road and High Street, and Listing Those Devices on Schedule J-1 of Chapter 15.26)

WHEREAS, Indiana Code 9-21-4-3 authorizes cities to install traffic calming devices on public streets as long as their design and use conform to generally accepted engineering principles of road design; and

WHEREAS, on March 24, 1999 the Common Council adopted Ordinance 99-08 which authorized the installation of traffic calming devices on Covenanter Drive between College Mall Road and High Street once certain steps, which anticipated procedures subsequently set forth in the Neighborhood Traffic Safety Program, were followed; and

WHEREAS, on the June 2, 1999 the Common Council adopted Ordinance 99-16 which amended the Bloomington Municipal Code to establish a Neighborhood Traffic Safety Program (Chapter 15.26) in order to guide the decision-making process for the placement of traffic calming and related traffic control devices in neighborhoods; and

WHEREAS, Ordinance 99-16 set forth Schedule J-1, which identifies the type and location of traffic calming devices within the City; and

WHEREAS, after learning that there was a discrepancy between the balloting procedures under Ordinance 99-08 and Ordinance 99-16, which left residents who would have otherwise been able to vote off the ballot, the Common Council responded in favor to a motion by Councilmember Jeffrey Willsey to table this ordinance until such balloting had been completed; and

WHEREAS, said balloting took place and indicated that a majority of the balloted household favored the traffic calming devices; and

WHEREAS, the Common Council acknowledges the change in procedures were different from those set forth in Ordinance 99-08 and desires to amend the ordinance to reflect the additional procedures;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Common Council hereby amends Ordinance 99-08 to reflect the change in balloting procedures used to determine support for the installation of these devices.

SECTION 2. The Common Council hereby approves the installation of certain traffic calming devices and amends Schedule J-1 (Traffic Calming Locations) of Chapter 15.26 (Neighborhood Traffic Safety Program) to include the following type of traffic calming devices at the following location, which shall be inserted in alphabetical order in said Schedule:

SCHEDULE J-1
TRAFFIC CALMING LOCATIONS

Street	From	To	Type of Devices
Covenanter Drive	High Street	College Mall Road	Speed Humps (22')

SECTION 3. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of August, 2000.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 8th day of August, 2000.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 8th day of August, 2000.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves the permanent installation of a series of 22' long speed humps along Covenanter Drive from College Mall Road to High Street. It amends Ordinance 99-08 to reflect the Council's decision to conform the neighborhood balloting procedures for these devices to those set forth in the Neighborhood Traffic Safety Program. It also amends Schedule J-1 of the Chapter 15.26 of the Bloomington Municipal Code to list the type and location of these devices.

Procedural History: This ordinance was introduced on May 3rd, received a Do Pass Recommendation by a vote of 7 – 1 – 1 on May 10th, and was tabled by a vote of 7 – 2 on May 17th, in order to include more households in the ballot. Then, on August 2nd, it was taken off the table by a vote of 8 – 1, amended by a vote of 8 – 1, and approved with the amendment by the same vote. The amendment was intended to reflect the decision to alter the balloting procedures initially approved in Ord 99-08 and affected the title, the last three whereas clauses, the first two therefore clauses and the synopsis.