

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 12/11/17**

<b>AGENDA ITEM:</b>	
Ordinance Prohibiting Entering Roadway at Restricted Intersections	
<b>PREPARED BY:</b>	<b>DIRECTOR APPROVAL:</b>
Jon Walker	
<b>DEPARTMENT:</b>	
Legal	
<b>ATTACHMENTS:</b>	
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>
<b>SUMMARY:</b>	

The City previously analyzed accident data and identified the ten intersections with the highest accident rates and the Council restricted solicitation at those intersections and at freeway on-ramps and off-ramps by adopting Ordinance No. 2971. Because persons could cause traffic safety issues at these intersections when engaging in activities other than solicitation staff recommends expanding the prohibition to restrict access to the roadway to marked crosswalks at the ten identified intersections. This would prohibit a person, any part of the person's body, or an object controlled by the person from entering the plane of the roadway. A violation would be a misdemeanor.

<b>RECOMMENDED ACTION: Staff recommends the Council consider adopting the ordinance.</b>
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CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,  
WASHINGTON, PROHIBITING ENTERING THE ROADWAY AT  
INTERSECTIONS DESIGNATED AS RESTRICTED INTERSECTIONS.**

WHEREAS, the City Council previously analyzed accident data and identified the ten intersections with the highest accident rates and restricted solicitation at those intersections by adopting Ordinance No. 2971; and

WHEREAS, the City Council has determined that public safety would be further enhanced by prohibiting conduct at these intersections that is not associated with soliciting; and

WHEREAS, on-ramps and off-ramps of the Interstate 5 freeway or a state route highway present the same safety concerns as these intersections; and

WHEREAS, no person should enter the roadway at these intersections or an on-ramp or off-ramp except in a marked crosswalk.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE,  
WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. A new section is added to the municipal code as set forth in Exhibit A.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF MARYSVILLE

By \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By \_\_\_\_\_  
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By \_\_\_\_\_  
JON WALKER, CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

# EXHIBIT A

## 11.04.065 Entering restricted intersections prohibited.

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(1) Definitions.

“Enter” means to cross the vertical plane of the edge of a prohibited roadway. It includes crossing the vertical plane by any part of a person’s body or any extension thereof including an object that enters the roadway through the action of a person.

“Marked crosswalk” has the same meaning as in RCW 46.04.290 as currently enacted or subsequently amended.

“Roadway” for the purposes of this chapter is the entire width of a street or highway between the curbs, including paved shoulders and bike lanes and excluding sidewalks.

(2) The following locations are designated restricted intersections:

(a) On-ramp or off-ramp to state route or interstate highway;

(b) Within 300 feet of the following intersections identified in Exhibit A, attached to the ordinance codified in this section and incorporated by reference:

- (i) SR 528 and Cedar Avenue;
- (ii) SR 528 and State Avenue;
- (iii) SR 528 and 47th Avenue NE;
- (iv) SR 528 and 67th Avenue NE;
- (v) Grove Street and State Avenue;
- (vi) 88th Street and State Avenue;
- (vii) 92nd Street and State Avenue;
- (viii) 100th Street and State Avenue;
- (ix) 116th Street and State Avenue; and
- (x) 172nd Street NE and 27th Avenue NE.

(3) It is a misdemeanor to enter the roadway of a restricted intersection except to cross the street at a marked crosswalk in obedience to a crosswalk signal.

(4) This section shall not apply to any law enforcement officer acting within the scope of his or her official duty, a city employee acting within the scope of his or her duties, a person responding to an emergency occurring in the roadway or seeking assistance for an emergency occurring in the roadway, or a person authorized by the city to be in the roadway under the authority of a permit issued by a permit issued pursuant to chapter 5.46 or 12.08 or 12.28 of the municipal code, or similar authorization by the city.