

Councilmembers Romero, Anane, and Zamer introduced the following:

ORDINANCE 15.41.23

AN ORDINANCE AMENDING ARTICLE V (COMPLETE STREETS) OF CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PEDESTRIAN SIGNALIZATION AND PEDESTRIAN INTERVALS

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. This ordinance may be referred to as the “Crossing with Dignity Ordinance.”

Section 2. Article V (Complete Streets) of Chapter 323 (Streets and Sidewalks) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

Article V Complete Streets

§ 323-88 Legislative Findings.

The City of Albany Common Council finds that the mobility of freight and passengers and the safety, convenience, and comfort of motorists, cyclists, other non-motorized forms of transportation, pedestrians, including people requiring mobility aids, transit riders, and neighborhood residents of all ages and abilities should all be considered when planning and designing Albany's streets. Integrating sidewalks, bike facilities, transit amenities, and safe crossings into the initial design of street projects avoids the expense of retrofits later. Streets are a critical component of public space and play a major role in establishing the image and identity of a city. By encouraging good planning, more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion, collisions, and auto-related air pollution will be reduced. The goal of this article is to improve the access and mobility for all users of streets in the community by improving safety through reducing conflict and encouraging nonmotorized transportation and transit.

§ 323-89 Complete Street Redesign

- A. For all street construction, reconstruction, or resurfacing projects (~~as per Section C(2))~~ that are undertaken by the City and not covered under the New York State Complete Streets Law contained in §331 of the Highway Law, the department planning such project shall consider the convenient access and mobility on the street by all users of all ages, including motorists, pedestrians, bicyclists, other non-motorized forms of transportation, and public transportation users through the use of complete street design features in the planning, design, construction, reconstruction and resurfacing, but not including maintenance or emergency projects.
- B. Complete street design features are roadway design features that accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists, other non-motorized forms of transportation, and individuals of all ages and abilities. These features may include, but need not be limited to,

sidewalks, paved shoulders suitable for use by bicyclists, lane striping, bicycle lanes and improved bicycle parking and storage, share-the-road signage, street and sidewalk lighting, crosswalks or median refuges, road diets, pedestrian ~~control~~ signalization, bus pullouts and improved pedestrian access to bus stops, curb cuts, raised crosswalks and ramps and traffic-calming measures, and recognize that the needs of users of the road network vary.

C. This section shall not apply if it has been determined and set forth in publicly available documents that one of the following exists:

- (1) Use by bicyclists, other non-motorized forms of transportation, and pedestrians is prohibited by law, such as within interstate highway corridors; or
- (2) The cost would be disproportionate to the need as determined by factors including, but not limited to, the following: land use context, current and projected traffic volumes, and population density; or
- (3) Demonstrated lack of need as determined by factors including, but not limited to, land use, current and projected traffic volumes, including population density, or demonstrated lack of community support; or
- (4) Use of the design features would have an adverse impact on, or be contrary to, public safety.

D. The following shall be implemented:

- (1) Pedestrian signals that exist in areas of medium to high pedestrian daily traffic volume where a traffic light is present shall operate on a pre-timed cycle and shall not require pedestrian actuation. Such pedestrian walk signal intervals shall not last for less than fifteen seconds.
- (2) Leading pedestrian intervals at all intersections with areas of medium to high pedestrian daily traffic volume during which a walk indication is displayed for the crosswalk while red indications continue to be displayed to parallel through and/or turning traffic for at least three seconds.

§ 323-90 Development of guidelines; reporting requirements.

- A. Guidelines will be developed by the Department of General Services, Division of Traffic Engineering, and the Division of Planning with stakeholder input and shall include street typologies, design guidance and implementation.
- B. No later than two years after the final adoption of Complete Streets Guidelines and biennially thereafter, the Department of General Services shall publish a report showing how it has complied with this article and improvements made to the roadways of the City.

§ 323-91 through § 323-95. (Reserved).

Material to be deleted in ~~striketrough~~. New material is underlined.

Section 3. This ordinance shall take effect 180 days from final passage

**APPROVED AS TO FORM THIS
24TH DAY OF MARCH, 2023**

Corporation Counsel

To: Danielle Gillespie, City Clerk

From: Gabriella Romero, Council Member, 6th Ward

Re: Common Council Legislation
Supporting Memorandum

Date: March 8, 2023

Sponsors: Council Members Romero, Anane, and Zamer

Ordinance 15.41.23

TITLE

AN ORDINANCE AMENDING ARTICLE V (COMPLETE STREETS) OF CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO PEDESTRIAN SIGNALIZATION AND PEDESTRIAN INTERVALS

GENERAL PURPOSE OF LEGISLATION

Pedestrian safety is public safety. The Crossing with Dignity Ordinance will improve walkability across the City of Albany by requiring automatic pedestrian walk signals and leading pedestrian signals in dense parts of Albany. This bill will remove the requirement for a pedestrian to press a button to simply cross a street.

As of November 2022, pedestrians Tanisha Brathwaite, Kathleen McBride, and Larry Cunningham were killed by vehicles in Albany in that year alone. Traffic violence remains on a steady increase across the United States, despite a decrease in vehicle miles driven.¹ According to the New York State Department of Health, on average, 312 people are killed by vehicles annually in New York State.² As a city, we must work to prevent all traffic deaths. That starts by making it easier and safer to cross the street.

Other cities like New York City use pre-timed signals, leading pedestrian intervals, and even exclusive pedestrian signals.³ In fact, the United States Department of Transportation's Traffic Signal Timing Manual recommends that pre-timed signals be used in "central business districts," while fully-actuated controls be used in "locations without nearby signals; rural, high speed locations; intersection of two arterials."⁴ Further, the US Federal Highway Administration recommends that municipalities install leading pedestrian intervals because they reduce pedestrian crashes by 13%.⁵

¹ <https://www.nytimes.com/2022/11/27/upshot/road-deaths-pedestrians-cyclists.html>

² https://www.health.ny.gov/statistics/prevention/injury_prevention/traffic/county_of_residence.htm#pedestrian

³ <https://www.nyc.gov/html/dot/html/infrastructure/signals.shtml>

⁴ <https://ops.fhwa.dot.gov/publications/fhwahop08024/chapter5.htm>

⁵ https://safety.fhwa.dot.gov/ped_bike/step/resources/docs/fhwasa19040.pdf

This ordinance will help curb traffic violence and make it less likely for a pedestrian to cross a street when they are not permitted to by making certain crossing signals automatic and by adding leading pedestrian intervals

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

This ordinance provides necessary safety enhancements to the City's existing Code article on Complete Streets.

FISCAL IMPACT

To be determined.

SOCIAL JUSTICE IMPACT

To be clear, this ordinance will not eliminate buttons that trigger audible traffic signals, as they provide assistance to pedestrians in our city with a variety of disabilities. This ordinance will simply remove our reliance on a button to receive a pedestrian walk signal.

Pedestrian safety is an equity issue, and this ordinance supports our city's Equity Agenda by adding protections for pedestrians. There is a large body of research that shows that if you are a person of color, live in a low-income census tract, or are a person with disabilities you are at a far greater risk of being killed by a vehicle.⁶

Furthermore, those who follow certain religious practices are prohibited from actuating a pedestrian crossing signal. For example, many in the Orthodox Jewish community are unable to cross the street legally in certain neighborhoods due to their rules that prohibit operating electrical machinery on Shabbat.

⁶ <https://smartgrowthamerica.org/wp-content/uploads/2022/07/Dangerous-By-Design-2022-v3.pdf>