

**SPRING LAKE PARK  
ORDINANCE 471**

**AN ORDINANCE RELATING TO AND REGULATING ARTERIAL ROADWAY  
MEDIANS LOCATED WITHIN HIGH TRAFFIC INTERSECTIONS**

**WHEREAS**, the City has three high-capacity arterial roadways that are heavily travelled thruways with traffic counts on County Road 10 of 19,100 to 22,300 vehicles per day, on University Avenue (Highway 47) of 31,500 vehicles per day, and on Highway 65 of 31,500 to 35,000 vehicles per day. These arterial roadways have posted speed limits that range from 50 to 55 miles per hour, contain numerous high-traffic intersections, and have relatively narrow or obstructed medians; and

**WHEREAS**, according to MnDOT data, pedestrian crashes along the Highway 65 and University Avenue corridors are 2-4 times higher than the state average. From 2013-2017, there have been 7 pedestrian crashes, with 3 fatalities along the Highway 65 and University Avenue corridors; and

**WHEREAS**, the medians on these roadways are traffic separation structures that were not designed, and are not maintained, to accommodate either any pedestrians, or only those who are temporarily crossing through the designated crosswalk. Most of the medians also contain landscaping, traffic control devices, and other obstructions which are inconsistent with use by pedestrians; and

**WHEREAS**, the City has experienced an increase in the number of pedestrians remaining on medians at high-traffic intersections for extended periods, creating a public safety risk for both the pedestrians as well as drivers. Pedestrians remaining on the intersection are at risk of being struck by the large volume of traffic traveling through these intersections at high rates of speed. Additionally, their presence on the medians distracts drivers whose focus becomes fragmented between not striking the pedestrians so close to the roadway and navigating through these high-traffic intersections; and

**WHEREAS**, according to a 2011 study commissioned by the AAA Foundation for Public Safety, the average risk of death for a pedestrian struck by a vehicle reaches 75% at an impact speed of 50 miles per hour and 90% at 58 miles per hour, versus 25% at 32 miles per hour.

**NOW THEREFORE**, be it ordained by the City Council of the City of Spring Lake Park, in the State of Minnesota, as follows:

**SECTION 1:**        **ADOPTION** “7.04.060 Median Safety” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

7.04.060 Median Safety(Added)

A. Definitions. For the purposes of this section, the following definitions shall apply.

**ARTERIAL ROADWAY** means the portions of University Avenue (Minnesota Trunk Highway 47), Minnesota Trunk Highway 65, and County State Aid Highway (CSAH) 10 located within the City.

**HIGH TRAFFIC INTERSECTION** means the following intersections on arterial roadways controlled by a traffic signal:

1. University Avenue and Osborne Road
2. University Avenue and 81st Avenue
3. Highway 65 and Osborne Road
4. Highway 65 and 81st Avenue
5. Highway 65 and 85th Avenue
6. County State Aid Highway 10 and Able Street
7. County State Aid Highway 10 and Pleasant View Drive

**MEDIAN** means a paved or unpaved area dividing a street or highway that separates lanes of traffic traveling at opposite directions, or, in the case of separated turn lanes, vehicles traveling in the same direction.

**ROADWAY** means both the traveled portion and median of a street or highway.

**PRIOR MEDIAN SAFETY VIOLATION** means a previous petty misdemeanor conviction under this section.

B. Prohibition.

1. No person shall be on a median within 300 feet of a high-traffic intersection unless the person is in the process of legally crossing the roadway through a safety zone or crosswalk. This prohibition applies to both the median on the arterial roadway and the median on the intersecting roadway. A person shall not be considered in the process of legally crossing a roadway, and it shall be prima facie evidence of a violation of this section, if a person stays on a median through two consecutive opportunities to cross the roadway in accordance with the crossing signal and state law. This may include a change in the traffic control signal or lack of traffic, as applicable.
2. No operator of a motor vehicle shall park, stop, or leave standing a vehicle at any high traffic intersection where prohibited or suddenly decrease the speed of said vehicle or deviate from a traffic lane for the purpose of responding to a person violating subsection B.1.

C. Exceptions. The prohibitions in subsection B shall not apply to any of the following:

1. Any person engaged in law enforcement or rescue activities, including aiding an injured or disabled vehicle or person.

- 2. Any person engaged in the emergency repair of a vehicle.
- 3. Any public works staff or public contractor engaged in the maintenance, repair or improvement of a roadway or related public facilities.
- 4. Any public utility workers installing, maintaining, repairing or removing public utilities.
- 5. Streets or portions thereof that have been closed pursuant to a permit or other express authorization from the City.

D. *Penalty.* A violation of this section is a petty misdemeanor offense. A person may be charged with a misdemeanor offense if that person violates this section within 12 months of the first of two prior median safety violations.

**SECTION 2: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 3: EFFECTIVE DATE** This Ordinance shall be in full force and effect upon its passage and publication.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Councilmember Wendling	_____	_____	_____	_____
Councilmember Delfs	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Robert Nelson, Mayor, Spring Lake Park

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Daniel R. Buchholtz, Administrator,  
Clerk/Treasurer Spring Lake Park

