

LOCAL LAW NO. XX OF 2014

A LOCAL LAW AMENDING CHAPTER XXX, STREETS AND SIDEWALKS OF
THE CODE OF THE VILLAGE OF LAKEWOOD, NEW YORK

Definitions:

"Complete Streets" is defined as streets and sidewalks that are designed and constructed to provide safety and accessibility for all users: pedestrians, cyclists, and motorists, including people of all ages and of all abilities.

"Complete Streets Program" is a system of implementing Complete Streets.

"Multi-modal transportation" refers to various means of transportation (walking, automobile, bicycling, public transit, etc.)

"Pedestrian" refers to a person on foot, in a wheelchair, on skates, or skateboard.

WHEREAS, Complete Streets has been recognized and adopted as law in New York State, and in over 600 jurisdictions across the United States for the purpose of improving multi-modal safety, options, and accessibility for all users; and

WHEREAS, the Village of Lakewood recognizes that the needs of bicyclists and pedestrians of all ages and abilities should be considered in the planning and design of all new street construction and reconstruction undertaken in the Village; and

WHEREAS, the Village of Lakewood recognizes that Complete Streets will increase opportunities for safe multi-modal transportation, incorporate traffic calming actions, improve rates of physical activity and related health outcomes, improve neighborhood vitality, and improve the quality of life for people in the community; and

WHEREAS, the Village of Lakewood and its Department of Public Works has the ability to work with the New York State Department of Transportation, the Chautauqua County Departments of Planning, Health, and Public Works, and others to explore the development, maintenance, and enhancement of pedestrian, bicycle, and trail connections within neighborhoods, business districts and put into practice a Complete Streets Program; and

WHEREAS, the Village of Lakewood desires to create convenient, safe, and pleasant pedestrian and bicycle connections between the waterfront, the business district, and the neighborhoods, which can be enjoyed by residents and visitors alike;

NOW, THEREFORE, it is the intent of the Village of Lakewood Board of Trustees in enacting this ordinance to improve safety for all users of our transportation network, to encourage healthy active lifestyles, and to enhance quality of life of its residents by providing safe, convenient, and accessible routes for walking, bicycling, and public transportation.

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BE IT ENACTED by the Village Board of Trustees of the Village of Lakewood, New York, pursuant to the authority and provisions of §10 of the Municipal Home Rule Law and §7-725a of the New York State Village Law, as follows:

1. **Intent.** Amend Chapter XXX, Streets and Sidewalks of the code of the Village of Lakewood, New York to add a new Article III, Complete Streets.
2. **Amendment.** Chapter XXX, Streets and Sidewalks is hereby amended to add the following:

Article XXX. Complete Streets

§XXX-XXX. Declaration of Policy.

In the interest of improving multi-modal transportation options, safety and accessibility for all users, the concept of Complete Streets has been recognized and adopted in jurisdictions across the United States. The Village of Lakewood will approach every transportation project and program as an opportunity to improve Village streets, will incorporate all relevant existing and future planning documents approved or adopted by the Board of Trustees, and will work in coordination with other departments, agencies and jurisdictions to achieve Complete Streets. Privately constructed streets and parking lots located in the Village shall adhere to this policy. Complete Streets design and practices include, but are not limited to traffic calming measures, sidewalks, enhanced crosswalks, curb ramps, curb bump-outs, center islands, accessibility features for people with disabilities, paved shoulders, designated bike lanes, off-road paths, pavement markings, and signage.

§XXX-XXX. Design and Practices.

Complete Streets designs and practices shall be incorporated in all new construction and reconstruction projects in the Village, except when the Highway Superintendent demonstrates that one of the following conditions is met:

- A. Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, bicyclists and pedestrians will be accommodated elsewhere within the right of way or within the same transportation corridor; or
- B. The cost would be excessively disproportionate to the need based on the following factors: population density, land use, projected and current traffic volumes, and projected and current bicycle and pedestrian use; or
- C. The existing right of way does not allow for sidewalks, paved shoulders or other improvements, in which case potential alternatives will include the appropriate use of lane re-striping, signage, traffic calming measures and/or enhanced education and enforcement; or
- D. Where severe topographic or natural resource constraints prohibit such accommodations; or
- E. Where conditions or restrictions outside the purview of the Village of Lakewood prohibit such actions.

If the Highway Superintendent determines that the inclusion of bicycle and/or pedestrian facilities are unable to be accommodated on a roadway or within the public right-of-way proposed for construction or improvement, the Highway Superintendent shall provide said determination in writing and with

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supporting documentation, to the Village Board for their information, review and approval.

§XXX-XXX. Guidelines

Complete Streets designs and practices shall be provided and maintained in accordance with the best and most recent design standards available. These standards include, but are not limited to Institute of Traffic Engineers (ITE), American Association of State Highway Transportation Official (AASHTO), National Association of City Transportation Officials (NACTO), and New York State Department of Transportation (NYSDOT). In recognition of context sensitivity, public input, and balancing the needs of all users, innovative design standards may be considered, provided that a comparable level of safety for all users is present.

Provision of Complete Streets facilities shall be consistent with the scope of the construction or improvement project, sensitive to the surrounding environment and land uses, and shall not be disproportionate with the cost of the larger project, except where a significant safety risk exists.

The Village of Lakewood encourages NYSDOT and Chautauqua County to consider a complete streets approach when constructing or reconstructing streets in the Village.

3. **Conflicting Statutes.** All local laws or ordinances or parts of local laws or ordinances in conflict herewith are hereby repealed.
4. **Severability.** Should any clause, sentence, paragraph, subdivision, section or other part of this local law be adjudicated by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or other part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and to this end, the provisions of each section of this local law are hereby declared to be severable.
5. **Effective Date.** This local law shall become effective immediately upon filing with the New York State Secretary of State.

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