

Bill No. 5160

Ordinance No. _____

Requested by: John Lyons

Sponsored by: Tim Baker

AN ORDINANCE AMENDING SECTION 310.010,
PROCEDURES FOR TRAFFIC REGULATIONS
AND ESTABLISHING EMERGENCY ROAD
REGULATION POWERS, ORDINANCES OF ST.
CHARLES COUNTY MISSOURI

WHEREAS, Article II, Section 2.529 of the St. Charles County Charter (2018) provides that the Council may exercise legislative power pertaining to police and traffic in the part of the County outside incorporated cities, towns and villages; and

WHEREAS, the County Council has adopted procedures for regulating traffic on County-maintained roads, has adopted such regulations, and has provided for their enforcement in Chapter 310, Ordinances of St. Charles County, Missouri (OSCCMo); and

WHEREAS, the County Council finds it in the public interest that violations of duly adopted and posted traffic regulations on all public roads within the unincorporated part of St. Charles County be subject to similar provisions for their enforcement; and

WHEREAS, it is in the public interest to amend and update the County's current traffic regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1.

St. Charles County hereby amends Chapter 310, OSCCMo, as follows (deleted language in stricken and bracketed type, added language in bold type):

SECTION 310.010: PROCEDURES FOR TRAFFIC REGULATIONS AND ESTABLISHING EMERGENCY ROAD REGULATION POWERS

- A. County Engineer Initiated Traffic Regulations:** Except as set forth in Subsection (C) of this Section relating to initial traffic regulations in newly constructed **or reconstructed** areas, prior to the adoption of traffic regulations, including, but not limited to, stop signs, speed limits [~~and~~] electronic signals, **and traffic calming measures**, the County [~~Council~~] **Engineer shall evaluate all proposed regulations under the current recommendations of the Manual on Uniform Traffic Control Devices and the St. Charles County Traffic Control Policy to make a determination based on those findings. Following the County Engineer's evaluation and determination, the County Engineer shall cause notice of the new traffic regulation(s) to be posted on the County's website and in two (2) conspicuous places no more than 500 feet from the applicable area of the proposed regulation(s). Within 60 days of the public notice, the County Executive may forward the County Engineer's determination to the Council for placement on the County Council's Consent Agenda. At that meeting, the County Council shall hold a public hearing on the proposed traffic regulation(s). [~~hold at least two (2) public hearings thereon, fifteen (15) days'~~**

~~notice of the time and place of which shall be published in at least two (2) newspapers having a general circulation within the County and notice of such hearing shall also be posted at least fifteen (15) days in advance thereof in four (4) conspicuous places in the County.]~~

- B. The County Engineer shall have the authority, ~~[subject to approval by the County Executive,]~~ to authorize **temporary** stop signs, speed limits, **traffic signals, traffic calming measures**, and other traffic ~~[signals]~~ **devices** for a period not to exceed one hundred twenty (120) days on established roadways of the County.
- C. The County Engineer shall have the authority, ~~[subject to approval by the County Executive,]~~ to authorize stop signs, speed limits, **traffic signals, traffic calming measures**, and other traffic ~~[signals]~~ **devices** on newly constructed **or reconstructed** roadways as deemed appropriate prior to the opening of the roadway to the public. **Subsequent [Changes] changes** to these ~~[stop signs, speed limits and other traffic signals]~~ **traffic devices** shall, **if initiated by the County Engineer, be done in accordance with Subsection A of this Section, and shall, if** made by petition to the County Highway Department ~~[and]~~ **be done** in accordance with Subsection ~~[A]~~ **D** of this Section.
- D. **Publicly Petitioned Traffic Regulations: Requests, including but not limited to changes to stop signs, speed limits, electronic signals,**

traffic calming measures and other traffic devices, shall be made via petition. Petitions must be signed by citizens representing at least 15 separate households from a given traffic neighborhood (subdivision) or representing a minimum of 51% of all property owners within one (1) mile of the requested location. Petitions will be reviewed by the Highway Department. The County Engineer shall approve or deny requested changes based on the Highway Department's review. The Highway Department shall provide the petitioners with the determination upon completion of the review. Following the County Engineer's evaluation and determination, the County Engineer shall cause notice of new and revised traffic regulations made via petition to be posted on the County's website and in two (2) conspicuous places no more than 500 feet from the applicable area of the proposed regulation(s). Within 60 days of the public notice, the County Executive may forward the County Engineer's determination to the Council for placement on the County Council's Consent Agenda. At that meeting, the County Council shall hold a public hearing on the new and revised traffic regulations made via petition.

- E. Any petitioner whose petition is denied, or approved with modifications, or any individual**

who resides within one (1) mile of the requested location who believes himself to be aggrieved by the determination of the County Engineer, may appeal such determination to the County Council within thirty (30) days following notice of the determination of the County Engineer. The appeal shall state in what manner the determination of the County Engineer aggrieves him. Upon receipt of an appeal, the County Council will add a hearing to its agenda in the normal form and fashion. It shall require the affirmative vote of four (4) County Council members to overturn the determination of the County Engineer.

~~[D].~~ **F** A violation of any [~~temporary~~] traffic regulation posted subject to the authority granted in [~~Subsection (B) of~~] this Section shall be a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the St. Charles County Jail for a term not to exceed one (1) year, or by both fine and imprisonment.

~~[E].~~ **G** Enforcement of traffic regulations issued pursuant to this Section shall be the responsibility of the **County Police Department and prosecutions shall be the responsibility of the County Counselor** [~~Prosecuting Attorney~~].

Section 2. Publication and Posting. Following passage and approval, the title of this ordinance and the location in St. Charles County where it may be viewed in its entirety shall be published in a legal publication or in a

newspaper of general circulation in St. Charles County and posted in six (6) public places within St. Charles County, and its publication in full on the website of St. Charles County, Missouri, pursuant to the St. Charles County Charter, Article II, Section 2.603.1. (2018)

Section 3. Effective Date. This ordinance is subject to penalty provisions for its violation and therefore, for penal purposes, shall be effective thirty-one (31) days after its posting in six public places, its publication in full on the website of St. Charles County, Missouri, and the publication of its title and the location in St. Charles County where it may be viewed in its entirety in a legal publication or a newspaper of general circulation in St. Charles County.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR