



## Legislation Text

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**File #:** 1182-2014, **Version:** 1

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### 1. BACKGROUND

The purpose of this legislation is to continue the development of policy, rules, and regulations pertaining to bicycling. This legislation furthers the consideration of an evolving understanding of complete streets, the importance of alternate means of transportation, the promotion of better community health, and improving safety for pedestrians and bicyclists. This legislation further establishes and clarifies requirements for bikeways and sidewalks, including traffic laws intended to make Columbus roadways safer for all users, particularly pedestrians and bicyclists.

In addition, this legislation updates city code in order to harmonize city traffic ordinances with the changes made to Title 45 of the Ohio Revised Code as a result of the passage of House Bill 349 which went into effect on April 20, 2012; House Bill 51 which went into effect on July 1, 2013; House Bill 59 which went into effect on July 1, 2013; Senate Bill 194 which will go into effect on June 2, 2014; and House Bill 145 which is expected to go into effect later in 2014. This legislation also promotes parking in the City of Columbus by correcting conflicting language in the Parking Code, removes antiquated language from the Traffic Code, and adds gender inclusive language in portions of the Traffic Code.

This legislation is expected to result in safer roadways and more bicycle facilities to be completed in the City of Columbus.

On December 6, 1993, Columbus City Council adopted the *Columbus Comprehensive Plan* (Ordinance 2515-93.) The plan as adopted provides specific recommendations for adequate pedestrian facilities for all existing, expanded, and new developments regardless of the type of use, intensity, or zoning classification. The plan also recommends that the Department of Public Service develop a bikeways plan for the City of Columbus.

On November 29, 2007, Columbus City Council member Maryellen O'Shaughnessy held a public meeting where the Department of Public Service presented an overview of past, present, and future complete streets-oriented efforts.

On June 9, 2008, City Council passed Ordinance 0849-2008 to adopt the *Bicentennial Bikeways Plan*, ordaining "that all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan."

The *Bicentennial Bikeways Plan* recommends adopting a complete streets policy that will "support the development of a complete system of bikeways, pedestrian facilities and shared-use paths, bicycle parking and safe crossings connecting residences, businesses, transit stops, and public places. The city will promote bicycling and walking for health, environmental sustainability, exercise, transportation, and recreation." The plan further recommends the on-street bike parking corral as "a relatively inexpensive solution to providing high-volume bicycle parking."

An on-street bike parking corral consists of converting one or more on-street vehicle parking spaces into on-street bicycle-only parking by installing bike racks in the street and protected from motor vehicles by removable curbs and flexible posts or bollards. According to the *Bicentennial Bikeways Plan*, "Bike Parking Corrals move bicycles off the sidewalks, and leave space for sidewalk café tables or pedestrians. Bicycle parking does not block sightlines like motor vehicles do, so it may be possible to locate bicycle parking in no-parking zones near intersections and crosswalks."

On July 14, 2008, Columbus City Council adopted Ordinance 0950-2008, the bicycle safety helmet law, which established greater safety requirements for children using bicycles in the city of Columbus, and which during

deliberations of the legislation several inconsistencies were identified within Columbus City Code, and with Ohio Revised Code, which were agreed by City Council to defer to a future date.

On July 28, 2008, Columbus City Council adopted Resolution 0151X-2008 in support of furthering complete streets in the City of Columbus.

On July 28, 2008, Columbus City Council adopted Ordinance 1987-2008, which amended the Columbus City Code to correct inconsistencies with the Ohio Revised Code, which were identified during the deliberations for Ordinance 0950-2008.

On July 16, 2012, Columbus City Council adopted Ordinance 1465-2012, which amended the parking regulations of the City of Columbus for consideration of preserving the condition of public streets and greater bikeway connectivity and safety.

On February 3, 2014, Columbus City Council adopted Ordinance 0189-2014, which repealed the registration and licensure requirement for bicycles.

On April 8, 2014, the Transportation and Pedestrian Commission reviewed and recommended adoption of this legislation as proposed.

## **2. FISCAL IMPACT**

There is no cost to the City of Columbus at this time.

To enact, amend, and repeal various sections of Chapters 2101, 2105, 2113, 2131, 2151, 2155, 2173, 3303, and 4101 of the Columbus City Codes to make bicycling in Columbus safer by including best practice laws to make bicycling in Columbus more attractive by allowing more bicycle parking on public streets, to correct conflicting language in the Columbus parking code, to bring the traffic code into compliance with portions of state laws, to remove antiquated language from portions of the traffic code, and to add gender inclusive language in portions of the traffic code.

**WHEREAS**, the City of Columbus recognizes through the *Columbus Comprehensive Plan*, adopted by Ordinance 2515-93, the benefits of sidewalks and other pedestrian facilities for safety, efficiency, and accessibility; and

**WHEREAS**, the *Columbus Comprehensive Plan* contains provisions calling for development of a bikeways plan for the City of Columbus; and

**WHEREAS**, City Council adopted Ordinance 0849-2008, the *Bicentennial Bikeways Plan*, ordaining "that all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan"; and

**WHEREAS**, the *Bicentennial Bikeways Plan* is intended to serve as a guide for development and the planning of future public infrastructure improvements and programs; and

**WHEREAS**, the *Bicentennial Bikeways Plan* recommends the modification of city codes to further complete streets in the City of Columbus by integrating bikeways within roadway and right-of-way definitions, addressing lawful use of the roadway and inclusion of bikeways in land development activities; and

**WHEREAS**, the *Bicentennial Bikeways Plan* recommends the on-street bike parking corral as "a relatively inexpensive solution to providing high-volume bicycle parking"; and

**WHEREAS**, an on-street bike parking corral consists of converting one or more on-street vehicle parking spaces into on-

street bicycle-only parking by installing bike racks in the street and protected from motor vehicles by removable curbs and flexible posts or bollards; and

**WHEREAS**, bicycles are included in the definition of vehicles by Columbus City Code and therefore prohibited from parking in various situations intended to prohibit unsafe motor vehicle parking; and

**WHEREAS**, bicycle parking does not block sightlines at intersections like motor vehicles; and

**WHEREAS**, many of the best candidate locations for on-street bike parking corrals are near intersections or in other areas with vehicle parking is prohibited; and

**WHEREAS**, it is desirable to promote bicycling in Columbus by allowing bicycle parking on public streets where engineering judgment determines an on-street bike parking corral is safe; and

**WHEREAS**, City Council adopted Resolution 0151X-2008, resolving "that this Council supports the implementation of Complete Streets policies in Columbus, and urges the Public Service Department and the Transportation Division to include these policies in all street construction, reconstruction and repair project"; and

**WHEREAS**, Columbus City Council adopted Ordinance 0950-2008, the bicycle safety helmet law, which established greater safety requirements for children using bicycles in the City of Columbus, and which during deliberations of the legislation several inconsistencies were identified within Columbus City Code, and with Ohio Revised Code, which were agreed by City Council to defer to a future date; and

**WHEREAS**, Columbus City Council adopted Ordinance 1987-2008, which amended the Columbus City Code to correct inconsistencies with the Ohio Revised Code, which were identified during the deliberations for Ordinance 0950-2008; and

**WHEREAS**, the Ohio General Assembly has enacted HB 349 effective April 20, 2012, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 349 has created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly has enacted HB 51 and HB 59 effective July 1, 2013, which consist of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 51 and HB 59 have created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly has enacted SB 194 effective June 2, 2014, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of SB 194 has created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly is expected to enact HB 145 effective later in 2014, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 145 would create a disparity between existing city traffic regulations and general laws

of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, it is desirable to bring existing city traffic regulations into consistency with the general laws of the State of Ohio; and

**WHEREAS**, Columbus City Council adopted Ordinance 1465-2012, which amended the parking regulations of the City of Columbus for consideration of preserving the condition of public streets and greater bikeway connectivity and safety; and

**WHEREAS**, Columbus City Council adopted Ordinance 0189-2014, which repealed the registration and licensure requirement for bicycles; and

**WHEREAS**, portions of the Traffic Code contain language that is either antiquated or gender exclusive; and

**WHEREAS**, it is desirable to add gender inclusive language to the Traffic Code; and

**WHEREAS**, portions of the Parking Code contain conflicting language; and

**WHEREAS**, it is desirable to correct conflicting language in the Parking Code; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

(See ORD 1182-2014 Attachment 1 for Sections 1-4)

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.