

**ORDINANCE NO. 421-11**

**CITY OF LATHRUP VILLAGE  
OAKLAND COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND THE CITY OF  
LATHRUP VILLAGE CODE OF ORDINANCES,  
CHAPTER 62. STREETS, SIDEWALKS AND OTHER  
PUBLIC PLACES BY ADDING ARTICLE IV. COMPLETE  
STREETS TO PLAN, DESIGN AND CONSTRUCT ROADWAYS  
TO PROVIDE APPROPRIATE ACCESS TO ALL LEGAL USERS**

**THE CITY COUNCIL OF THE CITY OF LATHRUP VILLAGE ORDAINS:**

**PART I. TITLE.**

This Ordinance shall be known as the “Complete Streets Ordinance”.

**PART II. FINDINGS.**

WHEREAS, the term “Complete Streets” refers to a comprehensive, integrated transportation network planned, designed, constructed, operated, and maintained to facilitate safe and convenient travel along and across streets for all potential users, including pedestrians, bicyclists, motor vehicle operators, transit riders, and people of all ages and abilities, including children, the elderly and the disabled;

WHEREAS, the City of Lathrup Village wishes to encourage walking, bicycling, and public transportation use as safe, convenient, environmentally friendly, and economical modes of transportation that promote health and independence of all people;

WHEREAS, the City of Lathrup Village recognizes that the careful planning and coordinated development of Complete Streets may offer long-term cost savings for local and state government, benefit public health, and provide financial benefits to property owners, businesses, and investors, while yielding a safe, convenient, and integrated transportation network for all users;

WHEREAS, the City of Lathrup Village wishes to encourage public participation in community decisions concerning street design and use to ensure that such decisions: (a) result in the street network meeting the needs of all users, and (b) are responsive to needs not traditionally incorporated in public infrastructure design; and

WHEREAS, the City of Lathrup Village therefore wishes to initiate a Complete Streets program and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient mobility for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards;

NOW, THEREFORE, it is the intent of the City Council of the City of Lathrup Village in enacting this ordinance to encourage healthy, active living; reduce traffic congestion and fossil fuel use; and improve the safety and quality of life of its residents by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation.

### **PART III. ORDINANCE AMENDMENT.**

That Chapter 62. Streets, Sidewalks and Other Public Places is hereby amended by adding Article IV. Complete Streets, Section 62-164 through Section 62-166 as follows:

#### **Sec. 62-164. Definitions.**

“Complete Streets” means roadways planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle.

#### **Sec. 62-165. Complete Streets Improvements**

The City of Lathrup Village shall plan, design, construct, operate and maintain street improvements to provide reasonable and appropriate accommodation for all potential users of the public right-of-way, in accordance with the City of Lathrup Village Non-Motorized Transportation Plan and as funding priorities permit. In furtherance of that policy:

- (a) The City Planning Commission will draft a Non-Motorized Transportation Plan: Complete Streets for Lathrup Village. This amendment to the City’s Master Plan will set forth long-range plans for providing Complete Streets in the City. The Non-Motorized Transportation Plan will be reviewed every five years from the date of its initial adoption, in accordance with the Michigan Planning Enabling Act.
- (b) The City will draft a Non-Motorized Transportation Improvements Program (NMTIP), and after appropriate public review and consideration, City Council will approve that program and update it on an annual basis.
- (c) The NMTIP will include – as appropriate – bicycle routes, lanes, and paths; sidewalks and pedestrian paths; best practices for crossing pedestrians and bicycles at both intersections and mid-block locations; transit facilities; and related safety improvements and amenities. In developing the program, consideration will be given to existing non-motorized transportation facilities; potential non-motorized travel patterns; implementation and maintenance

costs versus potential use; the public safety of both street users and abutting property owners; and funding priorities over a 6-year horizon. The City will look for opportunities to provide for Complete Streets in conjunction with all public works projects, as appropriate.

- (d) Infrastructure improvements made under the NMTIP will be designed, constructed, and operated in substantial conformance to the latest guidelines promulgated by the American Association of State Highway and Transportation Officials, Institute of Transportation Engineers, Michigan Department of Transportation, Road Commission for Oakland County, and U.S. Department of Justice (relative to the Americans with Disabilities Act of 1990).
- (e) It will be the goal of the City to reasonably fund the implementation of the Non-Motorized Transportation Plan, which shall include expending State Act 51 funds received by the City annually in accordance with Public Act 135 of 2010, as amended.

#### **Sec. 62-166. Exceptions.**

Infrastructure improvements specifically intended for pedestrians, bicyclists, and transit riders need not be planned nor made where the City Administrator recommends and City Council approves exceptions. Such exceptions should generally be considered where:

- (a) Bicycles and/or pedestrians are prohibited by law,
- (b) Transit operation is not present or likely to occur in the foreseeable future,
- (c) Encouraging walking, biking, or transit use would be contrary to public health and safety,
- (d) The cost would be excessively disproportionate to the need or potential use,
- (e) The cost would result in an unacceptable diminishing of other City services,
- (f) The project segment length would not result in a meaningful addition to the non-motorized network,
- (g) There is no identified long-term need, and/or
- (h) The public works project in question is due to an emergency that requires near-term action.

#### **PART IV. REPEALER.**

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**PART V. SEVERABILITY.**

If any section, subsection, clause, phrase, or portion of this article is for any reason held invalid by a court of competent jurisdiction, such portion shall be deemed a separate and distinct provision, and such holding shall not affect the validity of the remaining portions.

**PART VI. SAVINGS.**

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force where they commenced.

**PART VII. LIABILITY.**

In undertaking enforcement of this ordinance, the City of Lathrup Village is assuming only an undertaking to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation through which it might incur liability in monetary damages to any person who claims that a breach proximately caused injury.

**PART VIII. EFFECTIVE DATE.**

This Ordinance shall be published in the manner required by law and shall become effective ten (10) days after the date of its publication. A copy of the ordinance shall also be made available for public use and inspection in the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS 19th DAY OF September, 2011.

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Gloria Harris-Ford, City Clerk

Date of Introduction: August 15, 2011  
Date of Adoption: September 19, 2011  
Date of Publication of  
Notice of Adoption: September 29, 2011

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the City of Lathrup Village held on the 19th day of September, 2011.

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Gloria Harris-Ford, City Clerk