



# Legal Notice

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**Date:** 11/23/2023

**Subject:** An ordinance of the City of Littleton, Colorado, adding sitting, standing, or walking in or on medians prohibited to Chapter 9, Conduct on Public Property to Title 6 Police Regulations

**Passed/Failed:** Failed on second reading and public hearing

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**CITY OF LITTLETON, COLORADO**

**ORDINANCE 36  
SERIES 2023**

1 CITY OF LITTLETON, COLORADO

2  
3 ORDINANCE NO. 36

4  
5 Series, 2023

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7  
8 AN ORDINANCE OF THE CITY OF LITTLETON,  
9 COLORADO, AMENDING TITLE 6 POLICE  
10 REGULATIONS, CHAPTER 9 OFFENSES AGAINST THE  
11 PUBLIC PEACE, ORDER AND DECENCY REGARDING  
12 MEDIAN SAFETY

13  
14 WHEREAS, per the Colorado Department of Transportation, nationally each year  
15 approximately 5,000 pedestrians die and 70,000 are injured in traffic accidents; and

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17 WHEREAS, the U.S. Department of Transportation Federal Highway  
18 Administration estimates that one-quarter of traffic fatalities and approximately one-half of all  
19 traffic injuries in the United States are attributed to intersections; and

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21 WHEREAS, multiple times per year within the City of Littleton signal poles, trees,  
22 landscaping, and signs within medians are struck by vehicles; and

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24 WHEREAS, collisions between pedestrians and motorists occur within the City of  
25 Littleton; and

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27 WHEREAS, center medians in the City of Littleton were designed to separate and  
28 channel the flow of traffic through turns and intersections and are not designed for pedestrians to  
29 sit, stand, or walk upon; and

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31 WHEREAS, pedestrians within medians can distract drivers and potentially slow  
32 and impede the orderly flow of lawful traffic causing sudden decelerations and stops that are  
33 unanticipated by motorists leading to accidents; and

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35 WHEREAS, the City Council of the City of Littleton wishes to protect both  
36 pedestrians and motorists within its City; and

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38 WHEREAS, the City Council deems it to be in the best interests of the public  
39 health, safety and welfare to enact this ordinance.

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41 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
42 THE CITY OF LITTLETON, COLORADO, THAT:

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44 Section 1: Chapter 9, Conduct on Public Property of Title 6 Police Regulations is  
45 hereby amended by adding the following:  
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1           **6-9-4: SITTING, STANDING, REMAINING, OR WALKING IN OR ON**  
2 **MEDIANS PROHIBITED.**  
3

4           (A) Legislative Purpose. The purpose of this section is to protect the safety of pedestrians  
5 and motorists. The city council hereby finds that collisions between pedestrians and  
6 motorists in the City is a real safety concern. As population growth and traffic  
7 continues and is forecasted to grow across the region City Council declares it  
8 necessary to clearly delineate the responsibilities of pedestrians to allow for safer  
9 pedestrian and motorist interactions throughout the city. Center medians were  
10 designed to separate traffic and channel the flow of traffic through turns and  
11 intersections and such center medians were not designed and are not suitable for  
12 access, occupation, or use by pedestrians. The purpose of this section is to reduce  
13 the number of situations during which pedestrians are in close proximity to the  
14 traveled portion of a roadway. The city council finds this section will promote  
15 pedestrian and traffic safety and is necessary to protect the health, safety, and  
16 welfare of the public.  
17

18           (B) Definitions.

19           “Median” means any area of a street, roadway, or public driveway defined by a  
20 painted, raised, or depressed channelization barriers or markers, usually in the middle  
21 of the roadway, at driveways, or at intersections, which control turning movements  
22 or separate traffic lanes. Such median shall be 48 inches or less in width.

23           (C) It shall be unlawful for any person to sit, stand, remain, or walk in or on any median  
24 less than 48 inches in width for longer than is reasonably necessary to cross the street  
25 or roadway for those streets or roadways where the posted traffic limit is or exceeds  
26 30 miles per hour.

27           Exemptions. This section does not apply to:

28           (1) A city or state employee or contractor authorized by the city manager or designee  
29 thereof, or by the state, to access the center median to perform construction,  
30 landscaping, maintenance, repair, or similar duties thereon; or

31           (2) Persons employed by a public utility to maintain or work on the median while  
32 performing such work or maintenance; or

33           (3) Medians abutting a street closed to vehicular traffic for the purposes of permitted  
34 activity on the street or roadway; or

35           (4) A local, state, or federal law enforcement officer or authorized first responder  
36 engaged in the performance of his or her official duties; or

1 (5) A person using that portion of a center median designed as a temporary pedestrian  
2 refuge along a crosswalk if the person was not able to safely cross the entire roadway  
3 during the traffic signal pedestrian phase or green light signal phase. This exception  
4 allows a person to occupy the pedestrian refuge area for the duration of one (1) traffic  
5 signal cycle before crossing the entire roadway.

6 (D) Penalty. Any violation of this section may be punished by a fine not to exceed the  
7 limits set forth in 1-4-1 of this Code or such alternative sentence as the municipal  
8 judge shall determine excluding jail.

9 **Section 2:** Severability. If any part, section, subsection, sentence, clause or  
10 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the  
11 validity of the remaining sections of this ordinance. The City Council hereby declares that it would  
12 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase  
13 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or  
14 phrases may be declared invalid.

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16 **Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in conflict  
17 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer  
18 clauses of such ordinance nor revive any ordinance thereby.

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21 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council  
22 of the City of Littleton on the 7<sup>th</sup> day of November, 2023, passed on first reading by a vote of 6  
23 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,  
24 the Municipal Courthouse and on the City of Littleton Website.

25 PUBLIC HEARING on the Ordinance to take place on the 21<sup>st</sup> day of November,  
26 2023, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,  
27 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

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29 FAILED on second and final reading, following public hearing, by a vote of 2 FOR and  
30 5 AGAINST on the 21<sup>st</sup> day of November, 2023 and ordered published by posting at Littleton  
31 Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

32 ATTEST:

33 \_\_\_\_\_  
34 Colleen L. Norton  
35 CITY CLERK

\_\_\_\_\_  
Kyle Schlachter  
MAYOR

36 \_\_\_\_\_  
37 \_\_\_\_\_  
38 Reid Betzing  
39 CITY ATTORNEY



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