



# City of Harrisonburg, Virginia

## Office of the City Manager

409 South Main Street  
Harrisonburg, VA 22802  
(540) 432-7701 / FAX (540) 432-7778

Eric D. Campbell  
City Manager

TO: Eric Campbell, City Manager  
FROM: Chris Brown, City Attorney  
DATE: March 20, 2019  
RE: Restrictions on pedestrians within public rights of way at designated locations.

**Summary:** An ordinance to prohibit pedestrians from standing, sitting, squatting or lying between motor vehicle traffic lanes at certain intersections within the city that experience high numbers of motor vehicle accidents.

**Background:** At its March 8, 2016 meeting, City Council voted to repeal then-Section 16-6-59 of the City Code, which prohibited pedestrians from soliciting rides, contributions, or business from occupants of any vehicle while standing in or close to the street. Since that time, the City has experienced an increase in the number of pedestrians occupying the median at a number of busy intersections within the City. This proposed ordinance amendment will restrict pedestrian activity, other than the lawful crossing of a street and certain other exceptions, at designated intersections within the City. The intent of this ordinance is to promote the compelling governmental interest of public safety by restricting points of conflict between pedestrians and motor vehicles. The designated intersections all involve four or more lanes of travel which increases the need to avoid motorist distraction and pedestrian interference. The Harrisonburg Police Department has collected several years of data on motor vehicle accidents within the City. The designated intersections average over five accidents per year and have medians which increase the chances of interaction between motor vehicles and pedestrians.

HPD has attempted to use existing traffic control and safety ordinances and laws to eliminate unnecessary interactions between motor vehicles and pedestrians at the designated intersections with limited success.

This amendment will not regulate expressive activities conducted on sidewalks and other pedestrian walkways, as such activities do not carry the same potential for contact between vehicles and pedestrians.

State law authorizes regulation of pedestrians in roadways based on signs, signals, or direction by law enforcement officers. The violation is punishable as a traffic infraction with a fine of up to \$100.00 for the first or second offense, and up to \$200.00 for the third and subsequent offenses. The Court may impose community service in lieu of the fine.

**Key Issues:** Minimizing the opportunity for interactions between motorist and pedestrians which increase the risk of motor vehicle accidents and pedestrian injuries.

**Environmental Impact:** None



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**Fiscal Impact:** None

**Prior Actions:** None

**Alternatives:** (a) Adopt the ordinance as proposed or with changes desired by Council;  
(b); or decline to adopt the proposed ordinance  
(c)

**Community Engagement:** None

**Recommendation:** Staff recommends that Council consider holding a public hearing on the proposed ordinance and adoption of the proposed ordinance.

**Attachments:**

RE: Proposed ordinance.

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**Review:**

*The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.*

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