

ORDINANCE

Be it Ordained by the City Council of the City of Brockton to adopt a new section to Chapter 12, Section VI "Pedestrians" of the Revised Ordinances of the City of Brockton as follows:

**12-154.1 Purpose**

Every pedestrian shall have the right to use the public ways in the City of Brockton except where pedestrian travel is expressly or specifically prohibited by law, regulation, signage, road closure, or other safety or emergency factors.

Notwithstanding the right of pedestrians to use public ways within the City of Brockton, the City of Brockton has experienced an increase in public safety issues relating to pedestrian use of and entry into the public roadways identified herein, for which a significant public safety need has arisen requiring implementation of this median safety and pedestrian regulation ordinance.

**12-154.2 Roads Subject to the Provision of this Ordinance**

This ordinance shall apply to the following roadways within the City of Brockton:

- Main St
- N Main St
- Warren Ave
- N Warren Ave
- Montello St
- N Montello St
- Belmont St
- Pleasant St
- Centre St
- Crescent St
- Oak St
- Pearl St
- N Pearl St
- Reynold's Memorial Hwy
- E Ashland St
- Spring St
- W Chestnut St
- School St
- Court St
- Forest Ave
- Richmond St
- Battles St
- North Quincy St

**12-154.3 Exemptions**

12-154.3.1 Nothing in this ordinance shall prohibit law enforcement officials and public safety officials from enforcement of statutory, regulatory and local regulations and requirements pertaining to use of public ways by pedestrians, travelers and motor vehicle operators within the City of Brockton.

12-154.3.2 These regulations shall not apply to municipal, state, federal or other public-service corporation individuals or their agents, servants and employees while in the performance of their public duties, including duties involving public safety, construction, maintenance, repair or cleaning work.

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12-154.3.3 These regulations shall not apply to road closures for special events as deemed necessary by municipal, state, federal or other public-service corporation individuals or their agents, servants and employees.

12-154.3.4 These regulations do not apply to pedestrians entering into a roadway for purposes of acting in emergency circumstances.

#### **12-154.4 Definitions**

crosswalk: the specially paved and marked path for pedestrian crossing on a roadway

median: a section or reserved area separating opposing lanes of traffic on a roadway traffic between lanes on a roadway

center traffic island/safety island: An area provided for safety of pedestrians from vehicular sidewalk: a paved walkway along the side of a roadway

shoulder: the area or strip of land immediately adjacent to a traffic lane of a roadway which does not contain a sidewalk

roadway: shall refer to the roadways identified in Section 12-154.2

#### **12-154.5 Regulations**

12-154.5.1 It shall be unlawful for any pedestrian to walk along and upon an adjacent roadway whenever a sidewalk, median, crosswalk, center traffic island, or safety island is available for pedestrian use.

12-154.5.2 It shall be unlawful for any pedestrian to leave an available sidewalk, median, crosswalk, center traffic island, or safety island and enter the path of any motor vehicle on a roadway.


12-154.5.3 Where sidewalks, medians, crosswalks, center traffic islands, or safety islands are unavailable, a pedestrian shall use an unfinished shoulder of a roadway and avoid traveling or entering into the roadway.

12-154.5.4 A pedestrian shall not enter a public way into the pathway of motor vehicles traveling on and along the roadway or approach within five (5) feet of a motor vehicle or vehicles using a roadway.

#### **12-154.6 Enforcement**

12-154.6.1 These median safety and pedestrian regulations shall be enforced by the City of Brockton Police Department.

12-154.6.2 Any individual who violates the provisions of this ordinance shall be cited and fined as follows: a fine not exceeding fifty dollars (\$50.00) for a first offense, one hundred dollars (\$100.00) for a second offense, and three hundred dollars (\$300.00) for a third and each subsequent offense thereafter, with each separate instance considered a distinct violation subjecting the violator to citations and fines.

  
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Jeffrey Thompson, Ward 5 Councilor