

City of Sun Prairie, Wisconsin

**ORDINANCE REPEALING AND  
RECREATING SECTION 10.08.090 –  
PEDESTRIAN REGULATIONS**

Presented: August 15, 2017

Adopted: August 15, 2017

**Ordinance No.: #692**

**ORDINANCE**

The Common Council of the City of Sun Prairie, Dane County, Wisconsin, hereby ordains as follows:

**SECTION 1.** That Section 10.08.090 is hereby repealed and recreated as follows: (Additions are noted by underline, deletions are noted by ~~overstrike~~.)

**Section 10.08.090 Pedestrian regulations.**

A. Pedestrian Obedience to Traffic Control Devices and Regulations.

1. Obedience to Traffic Control Devices. No persons shall fail to obey the instructions of any Uniform Traffic Control Device when traveling as a pedestrian on any highway within the city unless otherwise directed by a law enforcement officer.

2. Crossing at Crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed, or closed to public travel.

B. Prohibited Pedestrian Crossings. No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by official traffic control devices.

C. Entering or staying upon highways restricted.

1. Purpose. Pedestrians are increasingly using highways in ways for which the roads were not designed. These uses include approaching vehicles when in use or staying upon medians for purposes other than crossing the highway. These activities create safety hazards for pedestrians and distract drivers, making automobile crashes more likely. This ordinance is designed to decrease the safety hazards by restricting such activity. These safety concerns are most acute on the busiest streets in the City of Sun Prairie, identified as arterial streets or highways, and some streets intersecting with those arterial streets. This ordinance applies to those "covered highways" identified in sub. 7 herein.

2. Definitions. As used in this ordinance,

"Arterial Street" is defined as a street which provides for the movement of relatively heavy volumes of traffic to, from, or within the city. It has a secondary function of providing access to collector and minor streets and tertiary function of providing access to abutting properties.

"Covered Highway" is defined in sub. 7 herein.

A vehicle is "in operation" when it has an operator, as defined in Wis. Stats. § 340.01(41).

A "median" is a paved or unpaved area dividing a street or highway that separates lanes of traffic traveling in opposite directions, or in the case of left or right hand turn lanes, vehicles traveling in the same direction.

3. No person, other than a person in or on a vehicle, shall be on a covered highway listed in sub. 7 and approach any vehicle in operation, except a vehicle that is legally parked at the curb or the shoulder.

4. No person shall be upon a median of a covered highway listed in sub. 7 unless that person is in the process of crossing the highway in a safety zone or crosswalk. It is a prima facie evidence of a violation of this section if a person stays on the median through two consecutive opportunities to cross the highway in a legal manner under this Chapter and the state traffic laws adopted herein. This may include a change in the traffic control signal or lack of traffic, as applicable. After such two consecutive opportunities, such person shall not be considered to be "using the safety zone or crosswalk to cross the highway" for purposes of the exception in sub 6 b.

5. No operator of a vehicle shall park, stop or leave standing a vehicle on a covered highway listed in sub. 7 where prohibited or suddenly decrease the speed of said vehicle or deviate from a traffic lane for the purpose of responding to persons violating subs. 3 or 4.

6. Exceptions. This ordinance does not apply to (a) persons on the sidewalk; (b) persons using the safety zone or crosswalk to cross the highway; (c) persons engaged in law enforcement or rescue activities, including providing assistance to an injured or disabled vehicle or person; (d) persons entering a vehicle as an invited passenger where it is lawful to do so, including activity permitted under Wis. Stats. § 346.29(1) (taxis); (e) persons engaged in repair or maintenance activities on the highway under the direction or authority of the City of Sun Prairie or the State of Wisconsin; or (f) streets or portions thereof that have been closed pursuant to a street use permit or other express authorization from the City.

7. Covered Highways. This ordinance applies only to covered highways, which are those highways or portions of highways listed in subs. a and b below:

a. The following highways are designated as arterial streets, the streets and highways within the City of Sun Prairie that have the most traffic, and are covered highways under this ordinance:

|                       |                           |                      |
|-----------------------|---------------------------|----------------------|
| West Main Street      | Ironwood Drive            | East Linnerud Drive  |
| East Main Street      | North Thompson Road       | Davidson Drive       |
| Grove Street          | South Thompson Road       | Sunfield Street      |
| North Grand Avenue    | St Albert the Great Drive | McCoy Road           |
| South Grand Avenue    | Tower Drive               | Don Simon Drive      |
| Windsor Street        | North Bird Street         | Hawthorn Drive       |
| Hoepker Road          | North Bristol Street      | Business Park Drive  |
| Prairie Lakes Drive   | Columbus Street           | Stonehaven Drive     |
| Brooks Drive          | Town Hall Drive           | Liberty Boulevard    |
| Reiner Road           | Gas Light Drive           | School Street        |
| O'Keeffe Avenue       | North Musket Ridge Drive  | Lois Drive           |
| Blue Aster Boulevard  | South Musket Ridge Drive  | Blue Heron Boulevard |
| Celebration Boulevard | Linnerud Drive            | Rattman Road         |

b. In addition to the arterial highways designated above, this ordinance applies to any highway containing a median that intersects with any of the arterial highways, but only for the first two hundred (200) feet of the intersecting highway from the arterial highway, as measured along the center line of the intersecting highway from the point the intersecting highway touches the right of way of the arterial highway.

8. This ordinance shall be effective October 16, 2017, (sixty (60) days after passage). Within three (3) weeks of passage, the Chief of Police, Traffic Engineer and City Attorney will file with the Clerk or Common Council a plan for educating persons on the new ordinance, including brochures showing places the ordinance is applicable.

9. The Chief of Police will file a report with the Common Council providing data on the first six (6) months of operating of the ordinance, to include the numbers of those cited, the persons with no permanent address, and other relevant information. The report will be filed no later than eight (8) months after the effective date of the ordinance.

10. Any person violating this ordinance may be required to forfeit not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00). Officers are encouraged to provide a warning for a first offense.

**SECTION 2. Effective Date.** This Ordinance shall become effective upon passage and publication as provided by law.

APPROVED: \_\_\_\_\_  
Paul T. Esser, Mayor

Date Approved: August 15, 2017

Date Signed: August \_\_\_\_, 2017

This is to certify that the foregoing Ordinance was adopted by the Common Council of the City of Sun Prairie at a meeting held on the 15<sup>th</sup> day of August 2017, and was submitted for signatures on the 16<sup>th</sup> day of August, 2017.

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Elena Hilby, City Clerk