Ordinance

Ordinance No. 08             OF THE                Date. 2-19-2020 
                     CITY OF ATLANTIC CITY, N.J.  Date to Mayor..3-19-2020

Approved as to Form and Legality on Basis of Facts Set Forth  Factual contents certified to by 

Legislative Counsel/ Robert Tarver, Esq. Business Administrator /s/ Stephanie Bush-Baskette, PhD

Prepared by the Legislative Counsel

Council Members __KURTZ & DUNSTON___Present the following Ordinance:

AN ORDINANCE REGULATING SPEED HUMPS IN THE CITY OF ATLANTIC CITY

WHEREAS, The City Council finds that it is in the public interest to allow for the regulation of Speed Humps in the City of Atlantic City;

SECTION 1. - SPEED HUMPS

Purpose.
The purpose of this article is to provide guidance and objectivity in the evaluation and selection of roadways for the installation of speed humps. Prior to the approval and installation of speed humps, the City shall authorize a traffic study of the impacted area. Where appropriate, other temporary traffic-calming measures should be considered and/or implemented prior to the installation of speed humps.

Definitions.
As used in this section, the following terms shall have the meanings indicated:

85TH PERCENTILE SPEED — otherwise known as the critical speed, is the speed at or below which 85% of the traffic is moving. The 85th percentile speed is used as one of the criteria to determine if a street qualifies for speed humps.

COMMISSIONER — The Commissioner of New Jersey Department of Transportation.

RESIDENTIAL STREET — A street whose primary function is to provide the initial access to the collector and arterial roadways. These facilities are characterized by short trips, low speeds, and small traffic volumes.

SPEED HUMP — Defined as a raised area of pavement intended to control vehicular speed in conformity with New Jersey Law, Title 39 of the Revised Statutes and New Jersey Department of Transportation and the design specifications therein, including the engineering specifications for maximum height, profile, and minimum and maximum length. Speed humps include speed tables, cushions, and lumps.

TRAFFIC/SPEED SURVEY — A twenty-four-hour survey of traffic speeds and volume conducted by the use of a magnetic sensor(s) or air pressure hose(s) to determine the percentage of traffic exceeding the speed limit.
Requests and eligibility requirements.
A. Requests for speed humps shall be in writing and directed to the attention of the Director of Public Works. The Director of Public Works shall provide a copy of the request to the appropriate internal departments, including but not limited to the City Engineer.

B. A request will only qualify for consideration if the following criteria is met:
   (1) The roadway must be a City-owned and -maintained street;
   (2) The initial request must originate from the resident(s) living on the street;
   (3) The roadway must be a two-lane residential or one-way residential street with a posted speed limit of 30 miles per hour or less and which have fewer than 3,000 vehicles per day; or the street is located within 500 feet of a school or any property used for school purposes subject to the provisions of Section 3 of P.L. 2004, c. 107 (N.J.S.A. 39:4-8.11);
   (4) The street must be in reasonably good condition as determined by the City Engineer in his or her sole discretion or be incorporated as part of a roadway resurfacing project;
   (5) Dead-end streets and cul-de-sac shall not be considered for speed humps;
   (6) Speed humps may be located on streets that contain horizontal curves, but the hump itself must not be located within the horizontal curve. Safe stopping sight distance must always be provided;
   (7) Speed humps may not be located on a street with a vertical grade with more than an 8% change on the immediate approaches where the visibility of the hump may be restricted;
   (8) Special consideration must be given to streets without curb and gutter to accommodate drainage and prevent vehicle runarounds; and
   (9) The City shall provide appropriate notice to any municipality or county whose roads may be impacted by the installation of a speed hump.

C. A resident petition must be included with the request for a speed hump and shall describe the conditions to be remediated. The petition must be signed by two-thirds majority of property owner within the project area in support of the installation of the speed humps (City Engineer to determine project or impact area).

D. After verification of the petition and the request, the City Engineer's office will conduct a traffic/speed survey and make a determination of the street's eligibility in a timely manner.
   (1) If the street is determined to be ineligible for speed hump installation, the applicant(s) will be notified in writing.
   (2) The decision may be appealed in writing to the Director of Public Works giving reasons for the same.
   (3) If the street is determined to be eligible, the street will be placed on a list of streets eligible for speed hump installation maintained by the City Engineer's office.
Evaluation.

A. All requests that meet the initial eligibility requirements will be formally evaluated as described below:

(1) After a determination of the impact or project area as determined by the City Engineer, the applicant shall provide notice to all residents within such area of the request and the right of any resident to object by providing written notice of objection to the attention of the City Clerk within 10 days of receipt of notice of the request. Notice shall be by certified mail, return receipt requested. Applicants must submit proof of notice by providing the City Clerk with receipts from each resident within the impact or project area, or proof of mailing and failure of a resident to accept notice.

(2) A traffic/speed survey shall indicate that the 85th percentile speed is at least five or more miles per hour over the speed limit;

(3) The street segment must be a minimum of 750 feet in length between traffic controls, four-way intersections, and/or curves with less than a 250-foot radius; or the street must be comprised of contiguous segments with no stop controls between the segments and all side streets entering at four-way intersections are stop controlled. The total length of the contiguous segments must be at least 750 feet in length;

(4) Pursuant to the provisions of Section 3 of P.L. 2004, c. 107 (N.J.S.A. 39:4-8.11),

(a) Prior to a municipality or county constructing a speed hump which places any impact on roadways in an adjoining municipality or county, the governing board or body of the municipality or county shall provide appropriate notice to the adjoining municipality or county;

(b) Prior to a municipality or county constructing a speed hump which places any impact on a state roadway, the county or municipality shall obtain the approval of the commissioner;

(5) The street must be approved by the Director of Public Works, Atlantic City Police Department, Atlantic City Fire Department and Atlantic City Emergency Management and their written approval must accompany the application.

(6) All applications that have met the eligibility requirements and have received approval from the Director of Public Works, Atlantic City Police Department, Atlantic City Fire Department and Atlantic City Emergency Management shall be submitted to the City Engineer's office for review and approval;

(7) The City Engineer's office shall make the final determination whether the requested speed hump will be installed at the requested location based on the outlined criteria above in Subsection A(3) and (4). If the speed hump is approved it shall be presented to the Atlantic City Council for approval.

(8) After City Council has had sufficient time to review the request and comments, the Council shall vote on the request. If the request receives approval of Council, it shall pass to the prioritization phase.
Prioritization.
A. The installation of speed humps will be prioritized on a City-wide basis. Projects shall be prioritized based upon the following factors as a result of the formal evaluation:
   
   (1) Date of approved application;
   
   (2) Comparison of the operating speed or the 85th percentile speed to the statutory limit;
   
   (3) Daily traffic count average;
   
   (4) Accident history; Proximity to schools, parks, playgrounds, or other facilities with high number of children, bicycles, or pedestrian use.

B. Lower prioritized, but less costly projects may be implemented ahead of higher prioritized projects if funding levels do not allow the installation of the higher prioritized projects.

Design, construction, and location.
A. Speed hump layout and design shall be determined by the City Engineer. All construction shall conform to the New Jersey Department of Transportation technical standards in place at the time of installation.

B. The street must have adequate sight distance to safely accommodate the hump as determined by the City Engineers’ office.

C. Speed humps near drainage inlets should be placed just downstream of the inlet. Drainage consideration can affect speed hump location and/or spacing.

D. Speed hump should not be located within 10 feet from the nearest driveway.

E. A speed hump must not be located in front of a property if the property owner objects to its placement.

F. All speed hump constructed shall conform in design and construction to the technical standards established by the Department of Transportation.

G. Advance warning, including but not limited to, the erection of appropriate signs giving notice of the presence of speed humps before the first speed hump in a series of speed humps and pavement marker shall be placed at the location of the first speed hump. The signing and pavement markings for a speed hump shall conform to the current standards prescribed in the Manual of Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of Transportation.

H. The speed hump shall be located a minimum of 250 feet from the nearest intersecting street.

I. The distance between speed humps shall be at the discretion of the City Engineer and within the requirements of the New Jersey Department of Transportation.

J. All signage and pavement markings shall conform to the Manual of Uniform Traffic Control Devices for Streets and Highways.
**Speed hump removal.**
The process for requests to remove speed humps will follow the same procedure used to evaluate the installation of speed humps. Absent any design faults or unforeseen issues that result in unsafe conditions, the cost of removal shall be borne by the property owners via local assessment. In the case of fault or unforeseen issues, the City will bear the full responsibility of the cost of removal.

**NOW THEREFORE BE IT ORDAINED AS FOLLOWS:**

**SECTION 2:** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

**SECTION 3.** This Ordinance shall become effective upon final passage and publication as provided by law.

---

**DO NOT USE SPACE BELOW THIS LINE**

---

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

/s/…PAULA GELETEI, City Clerk
## Record of Council Vote on First Passage

<table>
<thead>
<tr>
<th>Council Member</th>
<th>AYE</th>
<th>NAY</th>
<th>N.V</th>
<th>A.B.</th>
<th>MOT</th>
<th>SEC</th>
<th>Council Member</th>
<th>AYE</th>
<th>NAY</th>
<th>N.V</th>
<th>A.B.</th>
<th>MOT</th>
<th>SEC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delgado</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Morshed</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Dunston</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Randolph</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Fauntleroy</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Shabazz</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Kurtz</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Zia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Tibbitt, President</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

X - Indicates Vote  
NV - Not Voting  
AB - Absent  
MOT - Motion  
SEC - Second

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on FEBRUARY 19, 2020.