

## AGENDA

### COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

March 2, 2009

Aldermen Shea, O'Neil,  
Sullivan, J. Roy, Ouellette

6:00 PM

Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)

1. Chairman Shea calls the meeting to order.
2. The Clerk calls the roll.
3. The Traffic and Parking Divisions have submitted agendas which need to be addressed:

**RESCIND PERMIT PARKING 8AM-8PM:**

Arms Street, east side, from Stark Street to a point 80 feet northerly  
Alderman Sullivan

**NO PARKING ANY TIME:**

Arms Street, east side, from Stark Street to a point 80 feet northerly  
Alderman Sullivan

**ACCESSIBLE PARKING SPACE – EMERGENCY ORDINANCE:**

On Pettingill Road, north side, from a point 260 feet east of Brown Avenue., to a point 20 feet east  
Alderman DeVries

**NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Elm Street, east side, from Trenton Street to a point 68 feet north  
On Elm Street, east side, from a point 202 feet north of Trenton Street to a point 25 feet north  
Alderman Mark Roy

**NO PARKING – 7AM - 7PM /MONDAY-FRIDAY:**

On Hall Street, east side, from a point 30 feet south of Spruce Street to a point 37 feet south  
Alderman Osborne

**NO PARKING 7AM-3PM / MONDAY – FRIDAY**

On English Village Road, west side, from a point 775 feet south of Dunbarton Road to a point 700 feet south  
Alderman Murphy

**NO PARKING ANYTIME:**

On Dubuque Street, west side, from a point 60 feet south of Putnam Street to Sullivan Street  
Alderman Ouellette

**RESCIND STOP SIGNS -3-WAY:**

On Monitor Street at Cumberland Street –NEC, SWC  
Alderman Ouellette

**STOP SIGN:**

On Cumberland Street at Monitor Street – SEC  
Alderman Ouellette

**Gentlemen, what is your pleasure?**

4. Communication from Brandy Stanley, Parking Manager, on behalf of Rock 101/WGIR 610, requesting to use Arms Park for the 18<sup>th</sup> Annual Rock 101 Sky Show on Sunday, May 24, 2009 with set up to commence on Saturday, May 23, 2009. A rain date is set for Monday, May 25, 2009 if necessary.

**Gentlemen, what is your pleasure?**

5. Communication from Brandy Stanley, Parking Manager, requesting on behalf of Steve Boucher from the State Department of Resources and Economic Development free on-street parking in the area of Murphy's Taproom for their event to be held on March 19, 2009.

**Gentlemen, what is your pleasure?**

6. Communication from Brandy Stanley, Parking Manager, requesting ordinance changes for 71.99 Penalties for snow emergencies and 70.78 Penalties for parking violations relative to the recently approved and executed contract for collection services for overdue parking citations.

**Gentlemen, what is your pleasure?**

7. Communication from Brandy Stanley, Parking Manager, regarding a new ordinance for fraudulent use of disabled placards/plates.

**Gentlemen, what is your pleasure?**

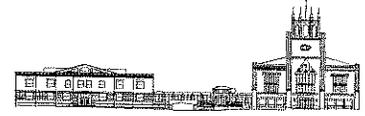
**TABLED ITEMS**

*A motion is in order to remove any item from the table.*

8. Communication from Brandy Stanley, Parking Manager, submitting a snow removal policy clarifying the duties of certain departments.
9. Summary of the Manual on Uniform Traffic Control Devices submitted by James Hoben, Traffic Division, if available.  
*(Note: Communication from Kevin Sheppard, Public Works Director, attached.)*
10. If there is no further business, a motion is in order to adjourn.

# **CITY OF MANCHESTER**

## **PARKING DIVISION**



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

**February 23, 2009**

**Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101**

**Re: Request for the use of Arms Parking Lot**

**Dear Chairman Shea:**

**Attached to this letter please find a request from WGIR to Matthew Normand requesting the use of the Arms Parking Lot for their annual Rock 101 SkyShow.**

**The parking division has no issues with this use of the parking lot, and we respectfully request that the committee grant the request.**

**Please do not hesitate to contact me should you have any questions.**

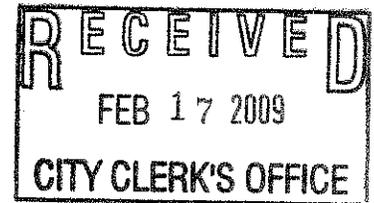
**Sincerely,**

**Brandy Stanley  
Parking Manager**

**CC: Committee Members  
Board of Mayor & Aldermen**

February 17, 2009

Mr. Matt Normand  
Office of the City Clerk  
One City Hall Plaza  
Manchester, NH 03101



Dear Matt:

Please consider this letter as our official request for the use of Arms Park for the 18<sup>th</sup> Annual Rock 101 Sky Show, held Sunday, May 24<sup>th</sup> - Memorial Day weekend!

Rock 101 WGIR FM formally requests the Mayor and the City Aldermen permission to set up Saturday, May 23<sup>th</sup>, the use of Arms Park and the Notre Dame Bridge on Sunday, May 24<sup>th</sup> 2009 for the day of the event - with a rain date of Memorial Day itself, Monday, May 25<sup>th</sup> 2009 if necessary.

Sky show has been a staple event in WGIR's history and will follow the tradition as a free event for the people of Manchester and surrounding area's. The park would be open to the public at 4p concluding with the traditional Fireworks display around 9:20. The fireworks are approximately 28 to 30 minutes long (the biggest fireworks display in New England) ending our event/ day before 10p.

We fully understand that all costs for the Rock 101 Sky Show is the sole responsibility of Rock 101 /Clear Channel Manchester and their underwriting sponsors. We understand fully the permit requirements, the city department heads we must work with as well as the neighbors in the Arms Park Area.

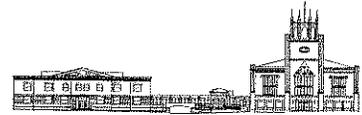
Thank you in advance for the support of your office and that of the Mayor and the Board of Aldermen of the City of Manchester.

Sincerely,

Sara Anderson  
Sales Manager  
Clear Channel Manchester - Rock 101 and WGIR AM 610  
195 McGregor St Suite 810  
Manchester, NH 03102  
[saraanderson@clearchannel.com](mailto:saraanderson@clearchannel.com)  
603-518-1945

# CITY OF MANCHESTER

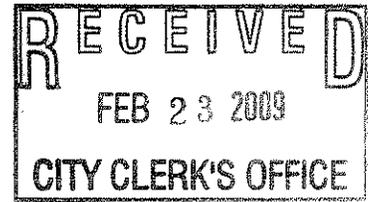
## PARKING DIVISION



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

February 23, 2009

Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101



Re: Request for Free Parking March 19<sup>th</sup>, 2009

Dear Chairman Shea:

Attached to this letter please find a request from Steve Boucher from the State Department of Resources and Economic Development requesting free on-street parking in the area of Murphy's Taproom for their event to be held on March 19<sup>th</sup>, 2009.

Should it be the committee's pleasure to approve this request, we will allow free parking between 8am and 4pm on West Auburn Street and Elm Street from Granite to Valley.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Brandy Stanley  
Parking Manager

CC: Committee Members  
Board of Mayor & Aldermen  
William Sanders  
Jay Minkarah



STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
DIVISION OF ECONOMIC DEVELOPMENT  
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2341  
FAX: 603-271-6784  
www.nheconomy.com

February 23, 2009

Ms. Brandy Stanley  
Parking Manager  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Dear Ms. Stanley,

I am writing this letter to ask for special dispensation for free metered parking in the areas around Murphy's Taproom (Elm Street & West Auburn Street or whatever your office deems appropriate) on Thursday, March 19<sup>th</sup> from 8 a.m.-4 p.m. for the purposes of the "Women of the Workplace" event taking place at Murphy's.

Developed by the New Hampshire Division of Economic Development in coordination with the Manchester Wolves, *NH Mirror* and Women Inspiring Women, this free full-day seminar is designed to assist and empower women entrepreneurs. We are already at full capacity in terms of registration (over 110 women) and are extremely excited at the outpouring of support for this inaugural event.

Through the generosity of Dick Anagnost, we have been given 20 spaces in the Rockwell Automation lot, but know that we will require many more spaces. Any help that you can provide in this regard would be greatly appreciated.

Thanks in advance to you and to the Board of Mayor and Aldermen for their consideration of this request. If you should have any questions, please feel free to give me a call at (603) 271-2341.

Sincerely,

Steve Boucher  
Communications & Legislative Director  
NH Division of Economic Development



TDD ACCESS: RELAY NH 1-800-735-2964 recycled paper

DIVISION OF ECONOMIC DEVELOPMENT 603-271-2341

5-2

# CITY OF MANCHESTER

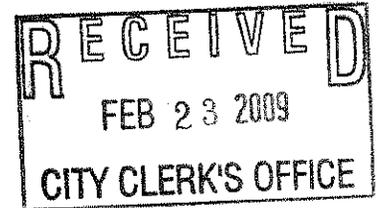
## PARKING DIVISION



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

February 23, 2009

Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101



Re: Parking Citation Late Fee Revisions

Dear Chairman Shea:

Attached to this letter please find ordinance changes for 71.99 – snow emergency penalties and 70.78 – penalties for parking violations. Both of the ordinance changes relate to the recently approved and executed contract for collections services for overdue parking citations.

In general terms, we are requesting that customers be given an additional 3 weeks to pay the original fine before the first late fee accrues. After 60 days, a new late fee would be added. This second late fee is equal to the amount assessed by the collection agency, and if collected by the agency, will be retained as their fee. If it is collected by the city prior to the account being turned over to the agency, the city will retain the entire amount collected.

Our current late fee structure adds a late fee after 7 days. Given the current economic times and the difficulty of getting payment to the city within this 7 day time frame, we feel that 30 days to collect the original fine will be helpful to customers and will simplify the operations of the Ordinance Violations Bureau. As we looked at payment patterns, we found that 70% of violations are paid within the 7 to 10 day time frame. Of the remaining 30%, the vast majority are well past 30 days prior to being paid. While we do anticipate a minor fall in revenues, we also believe that the shortfall will be eliminated entirely by the use of the collection agency.

Currently, we will be sending the collection agency all parking tickets that have gone unpaid for 1 year. Most tickets are paid within one year, and many past due

tickets are collected because of registration holds, which can happen up to 1 year following the issuance of the violation. If we were to send the agency tickets sooner than 1 year, any tickets collected by the city will require the collection agency be paid their fee, which will result in the city receiving less than the total amount due. For example, a customer tries to register a vehicle 6 months after receiving a violation and discovers that he must pay the outstanding fine of \$100. The city will collect \$100, however we must then remit \$16.67 to the collection agency, as they have been working the account, and the city nets only \$83.33.

If the proposed ordinances are passed, we will then begin sending the agency all parking tickets that have gone unpaid for 90 days. This will allow the city to save money on mailings, as responsibility for collecting the fine and all the attendant expenses then falls to the collection agency. By expediting accounts to the collection agency, we will shorten the collection cycle, and instead of waiting until the registration hold is discovered, the fines should be received much sooner.

Under this scenario, the above customer's balance would be \$120 because of the second late fee. The city would then be able to collect \$120. The collection agency would get \$20 and the city would retain the original fine plus the first late fee – or \$100.

We believe that the proposed ordinances will make payment arrangements much less onerous for our customers and ultimately result in a net increase in revenues to the City, and we respectfully request the committee's approval.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Brandy Stanley  
Parking Manager

CC: Committee Members  
Board of Mayor & Aldermen  
William Sanders  
Kevin Sheppard

“Amending Chapter 71 SNOW EMERGENCY REGULATIONS, Ordinance of the City of Manchester by amending Section **§ 71.99 PENALTY.**”

- I. Amend the Code of Ordinances by deleting language as stricken (----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

§ 71.99 PENALTY.

- (A) Each such owner or operator of a vehicle who violates any provision of this chapter or Chapter 73, Parking Schedules, may, within seven days of the time when such notice was attached to such vehicle pay to the Parking Violations Bureau ~~in person or by mail, for and in full satisfaction of such violation, the sum of \$25, except that the fine for violation of § 71.03 shall be \$75~~ **the penalty for each violation pursuant to the following table:**

<i>VIOLATION</i>	<i>BASIC PENALTY</i>	<i>INCREASED PENALTY (After 30 days from the notice of violation)</i>	<i>INCREASED PENALTY (After 60 days from the notice of violation)</i>
<i>Odd/Even</i>	<i>\$25</i>	<i>\$50</i>	<i>\$60</i>
<i>Parking Prohibition</i>	<i>\$25</i>	<i>\$50</i>	<i>\$60</i>
<i>Snow Emergency</i>	<i>\$75</i>	<i>\$150</i>	<i>\$180</i>

- (B) Failure to make such payment within **60 days following a** ~~seven days following a violation shall result in a minimum fine of \$50, except for violation of §71.034, which shall result in a minimum fine of \$150, and~~ may subject the owner or operator of the motor vehicle to an appearance in district court and a fine of not more than \$1,000 upon conviction thereof.

(’71 Code, § 15-53) (Ord. passed 12-19-78; Am. Ord. passed 4-16-85; Am. Ord. passed 5-3-05; Am. Ord. passed 12-19-05)

- II. These ordinances shall take effect upon this passage.

“Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section **§ 70.78 PENALTY.**”

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

(A) Each owner or operator of a vehicle found in violation of any provision of Chapter 70 may pay in person or by mail to the Ordinance Violations Bureau the penalty for each violation pursuant to the following table:

<i><b>VIOLATION</b></i>	<i><b>BASIC PENALTY</b></i>	<i><b>INCREASED PENALTY (After 7 30 days from the notice of violation)</b></i>	<i><b>INCREASED PENALTY (After 60 days from the notice of violation)</b></i>
Expired parking meter	\$10	\$20	<b>\$24</b>
Overtime parking meter	\$15	\$30	<b>\$36</b>
Night parking	\$25	\$50	
Overtime parking - no meter	\$30	\$60	<b>\$72</b>
No parking zone	\$50	\$75	<b>\$90</b>
No parking tow zone	\$50	\$75	<b>\$90</b>
Fire lane	\$50	\$75	<b>\$90</b>
Parking within 15 feet of fire hydrant	\$50	\$75	<b>\$90</b>
Parking within 5 feet of private driveway	\$50	\$75	<b>\$90</b>
Handicapped parking space - access aisle	\$100	\$200	<b>\$240</b>
Handicapped zone	\$250	\$300	<b>\$360</b>
Failure to display pay & display receipt	\$10	\$20	<b>\$24</b>
<b><i>Commercial Vehicle Prohibited Overnight Parking</i></b>	<b>\$50</b>	<b>\$100</b>	<b>\$120</b>

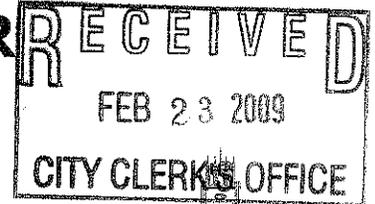
(B) Any violation of Chapter 70 not identified elsewhere in the code shall be issued pursuant to § 38.06(B) of this code.

(Ord. passed 8-6-02; Am. Ord. passed 4-6-04; Am. Ord. passed 7-11-06; Am. Ord. passed 12-5-06)

- II. These ordinances shall take effect upon this passage.



**CITY OF MANCHESTER**  
**PARKING DIVISION**



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

February 23, 2009

Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101

Re: **New Ordinance: Fraudulent Use of Disabled Placards/Plates**

Dear Chairman Shea:

Attached to this letter please find a **DRAFT** of a new ordinance created by city staff to reduce the abuse of disabled placards and plates. This draft has been looked at for several months, and we feel that at this time, direction from the Committee is needed in order to continue work on the proposed ordinance.

We have been working in conjunction with the National MS Society and the Governor's Commission on Disabilities as well as parking enforcement agencies from other municipalities around the state to combat abuse of placards and plates. We have held awareness events, and the Manchester Police Department has held several awareness days publicized through local media channels over the years as well.

I have attached to this letter selected information from a spreadsheet we began keeping in November 2008 detailing the instances of abuse and/or misuse of placards and plates. Since May of 2007, we have collected over 107 placards that were invalid for various reasons and being used on the streets of Manchester. Often, the only fine a person abusing these placards must pay is a \$10 parking ticket, even if we have proof that the placard is being abused.

We have enlisted the aid of the Manchester Police Department on some of the more obvious cases, however they are limited to sending a letter to the DMV requesting that privileges be revoked. This is often a problem because the placard holder may have no knowledge of the abuse, which is often by a family member or friend.

**We welcome both discussion and direction from the committee and look forward to your input. Please do not hesitate to contact me should you have any questions.**

**Sincerely,**

**Brandy Stanley  
Parking Manager**

**CC: Committee Members  
Board of Mayor & Aldermen  
William Sanders  
Tom Arnold**

"Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.36 " STOPPING, STANDING, OR PARKING PROHIBITED."

Page 1 of 1

- I. Amend the Code of Ordinances by deleting language as stricken (----) and inserting new as bold (**bold**). Add new Section (D) " Fraudulent Use of Disabled Placard / Plates" to the following chapter. Items that remain unchanged appear in regular type.

§ 70.36 " STOPPING, STANDING, OR PARKING PROHIBITED."

**(D) Fraudulent Use of Disabled Placards / Plates.**

1. Any person using a disabled placard/plate not issued to them and the qualified disabled person to whom the placard/plate is issued is not being transported to and from the parking space shall be guilty of "Fraudulent Use of Disabled Placards/Plates."
  - (a) If a vehicle is parked in a space which is not designated for disabled parking, it will be prima facie evidence of Fraudulent Use of Disabled Placards/Plates if the Parking Meter is expired and/or no Pay and Display Receipt is showing and the Disabled Placard/Plate is clearly visible.
  - (b) If the vehicle is parked in a legally disabled space.
2. Altered or Fabricated (Facsimile) Disabled placards.
  - (a) Any person who displays/uses an altered Disabled Placard shall be guilty of a violation of this section.
  - (b) Any person who displays/uses a facsimile of an official looking Disabled Placard shall be guilty of a violation of this section.
  - (c) For this section (70:36) Disabled and Handicapped shall have the same meaning.
3. The minimum fine for this violation is \$500.
4. These ordinances shall take effect upon their passage.

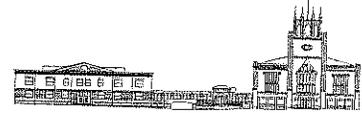
**Disabled Placard Abuse Since November 2008**

Date	Reason
11/20/2008	Customer presented placard expired 2006 for free parking at the Victory Garage. Verified with Concord that customer DID have 2 valid placards, she stated she needed to go get new ones from Concord
11/20/2008	Customer displayed temp placard expired January 2006, stated he knew it was expired but has been parking with it anyway
11/20/2008	Customer displayed placard expired October 2008 issued to deceased wife
11/20/2008	Customer displayed placard expired March 2006 issued to 10 year old male relative. Customer told PCO that it was issued to her Grandmother who was in the store. PCO waited for Grandmother who did not show up and wrote ticket.
4/20/2008	Customer displayed placard expired March 2006 issued to 10 year old male relative; second placard 157301 collected 11-20-08
11/21/2008	Customer displayed placard that was expired, issued to someone not in the vehicle, AND was reported lost in April 2008
9/29/2008	Customer displayed expired placard issued to deceased male. Stated on appeal form that the placard was hers and she did not realize it had expired. Per Concord, she is issued 2 valid placards in her name.
10/29/2008	Customer presented placard that was a copy of a valid, but expired, placard. Stated he had given it to his girlfriend. MPD will draft letter to DMV with details of case
12/2/2008	Customer displayed placard expired December 2003, verified she is issued 2 valid placards, but did not have them in her possession
12/4/2008	Displayed placard expired October 2008, also had in his possession 77219 expired November 2008, verified issued 2 valid placards from Concord
12/4/2008	Displayed placard expired October 2008, also had in his possession 77219 expired November 2008, verified issued 2 valid placards from Concord
12/18/2008	Placard holder gave expired placard to Verizon Wireless employee to use to park in a disabled parking space
12/22/2008	Placard expired October 2008 displayed. Placard had been reported lost 6 months prior and 2 replacements had been issued.
1/15/2009	Placard expired July 2008 displayed by customer, issued to customer's brother
2/3/2009	Placard expired June 2007 displayed by disabled person's husband. Disabled person was not in car or being transported
2/11/2009	Customer displayed a placard that had been reported stolen. Concord office verified that customer had a total of 8 placards issued, 6 of which had been reported stolen or lost.
2/23/2009	Customer displayed a placard that had been altered. A handwritten sticker was taped over the original hole punch expiration year and a new expiration date was punched out.

Placards collected since May 2007

tabled 1/20/09

# CITY OF MANCHESTER PARKING DIVISION



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

January 6, 2009

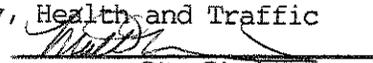
Board of Mayor and Aldermen  
One City Hall Plaza  
Manchester, NH 03101

In board of Mayor and Aldermen  
Date: 1/06/09 On Motion of Ald. Gatsas

Second by Ald. Pinard

Voted to refer to the Committee on Public  
Safety, Health and Traffic

Re: **Snow Removal Policy**

  
City Clerk

Dear Mayor and Board of Aldermen:

Alderman Lopez requested that the attached snow removal policy be distributed for tonight's meeting in order to clarify duties across departments. Please note that the attached policy is currently in place and has been reviewed and approved by Kevin Sheppard, Stephanie Lewry and myself.

Please do not hesitate to contact any of us should you have any questions.

Sincerely,

Brandy Stanley  
Parking Manager

CC: Kevin Sheppard  
Stephanie Lewry  
Bill Sanders

# Snow Storm Clean Up

Below is the general policy for clean up after snow storms:

## Property/Business Owners

Owners are responsible for clearing their sidewalks immediately after a storm. Those businesses situated on a corner must clear snow from all sidewalks bordering the building. In many commercial leasing agreements, either the landlord or the tenant will be identified as responsible for snow clearing duties. If in doubt, tenants should speak with their landlords.

The best procedure for shoveling snow is to pile the snow onto one designated area of the property, keeping the walkways clear from the door to the curb.

Where there is ice on the sidewalk, a salt/sand mixture is available to property owners at no charge from the Highway Department.

## Highway Department

During winter storm events, the Manchester Highway Department plows snow from more than 400 miles of streets and sidewalks throughout the City. In the Downtown area, the Highway Department provides a sidewalk tractor for clearing snow and sanding the sidewalks.

If time and funding is available, the Highway Department will schedule for the removal of snow along the Elm Street and Commercial Street corridors. Snow removal is typically scheduled within two days of the winter storm event.

## Supplemental services:

**Parking Division** will clear public parking lots, the Victory Garage, and clear a path from street to sidewalk around the parking kiosks.

**MTA** will clear landing areas for pedestrians disembarking from the buses.

**Intown Manchester** crews will supplement, by hand, the services of the Highway Department in the sidewalk areas most heavily used. Using shovels and snow blowers, we help to clear snow from public access areas, spread additional salt/sand on primary pedestrian routes, clear drainage areas, and perform non-mechanized duties in areas where the Highway Department machines are unable to maneuver.

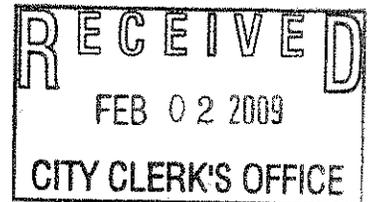
Kevin A. Sheppard, P.E.  
Public Works Director

Timothy J. Clougherty  
Deputy Public Works Director



Commission  
William A. Varkas  
Henry R. Bourgeois  
Joan Flurey  
William F. Houghton Jr.  
Robert R. Rivard

**CITY OF MANCHESTER**  
*Highway Department*



January 31, 2009

Committee on Public Safety, Health & Traffic  
CITY OF MANCHESTER  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**Re:** *Manual on Uniform Traffic Control Devices (M.U.T.C.D.)*

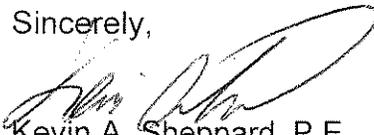
Dear Committee Members:

I am writing to follow-up on past discussions regarding our suggestion that the referenced manual be formally adopted by the Board of Mayor and Aldermen as the standard for traffic control devices. State RSA 47:17-VIII(a), which is attached, states that "Traffic control devices shall conform to applicable State statutes and the latest edition of the Manual on Uniform Traffic Control Devices."

Also attached is a copy of the M.U.T.C.D. introduction, table of contents and selected pages from the manual. I do not anticipate that formal adoption of the manual will alter the standard practices of the Committee.

Mr. Jim Hoben or myself are available to answer any questions you may have regarding this matter.

Sincerely,

  
Kevin A. Sheppard, P.E.  
Public Works Director

/c

cc/ Timothy Clougherty, Deputy Director  
Tom Clark, City Solicitor  
James Hoben, Traffic Director

Encl.

# TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

## CHAPTER 47 POWERS OF CITY COUNCILS

### Bylaws and Ordinances

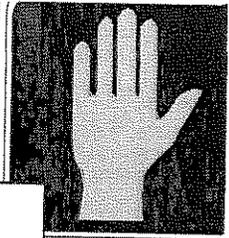
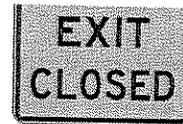
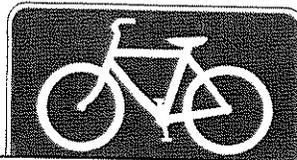
#### Section 47:17

**47:17 Bylaws and Ordinances.** – The city councils shall have power to make all such salutary and needful bylaws as towns and the police officers of towns and engineers or firewards by law have power to make and to annex penalties, not exceeding \$1,000, for the breach thereof; and may make, establish, publish, alter, modify, amend and repeal ordinances, rules, regulations, and bylaws for the following purposes:

- I. IN GENERAL. To carry into effect all the powers by law vested in the city.
- II. ORDER AND POLICE DUTY. To regulate the police of the city; to prevent any riot, noise, disturbance, or disorderly assemblages; to regulate the ringing of bells, blowing of horns or bugles, and crying goods and other things; and to prescribe the powers and duties of police officers and watchmen.
- III. DISORDERLY HOUSES AND GAMING. To suppress and restrain disorderly houses and houses of ill-fame, gambling houses and places, billiard tables, nine or ten pin alleys or tables and ball alleys, and all playing of cards, dice or other games of chance; to restrain and prohibit all descriptions of gaming and fraudulent devices; and to authorize the destruction and demolition of all instruments and devices used for the purpose of gaming.
- IV. SALE OF LIQUOR. To establish regulations for groceries, stores, restaurants, and places of public amusement; to authorize the entry of proper officers into all such places to inspect the same, and the seizure and forfeiture of all liquors and the instruments used or designed to be used in the manufacture or sale of the same, in violation of law.
- V. SHOWS. To regulate or prohibit the exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, or other shows.
- VI. PORTERS, VEHICLES, ETC. To license and regulate porters, cartmen and cartage, runners for boats, stages, cars, and public houses, hackney coaches, cabs, and carriages, and their drivers; the care and conduct of all animals, carriages, and teams, standing or moving in the streets; to prevent horse-racing and immoderate riding or driving in streets and on bridges; and to prevent cruelty to animals.
- VII. USE OF PUBLIC WAYS. To regulate all streets and public ways, wharves, docks, and squares, and the use thereof, and the placing or leaving therein any carriages, sleds, boxes, lumber, wood, or any articles or materials, and the deposit of any waste or other thing whatever; the removal of any manure or other material therefrom; the erection of posts, signs, steps, public telephones, telephone booths, and other appurtenances thereto, or awnings; the digging up the ground by traffic thereon or in any other manner, or any other act by which the public travel may be incommoded or thereby subjected to expense thereby; the securing by railings or otherwise any well, cellar, or other dangerous place in or near the line of any street; to prohibit the rolling of hoops, playing at ball or flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets and sidewalks, or to frighten teams of horses within the same; and to compel persons to keep the snow, ice, and dirt from the sidewalks in front of the premises owned or occupied by them.
- VIII. TRAFFIC DEVICES AND SIGNALS. 
  - (a) To make special regulations as to the use of vehicles upon particular highways, except as to speed, and to exclude such vehicles altogether from certain ways; to regulate the use of class IV highways within the compact limits and class V highways by establishing stop intersections, by erecting stop signs, yield right of way signs, traffic signals and all other

traffic control devices on those highways over which the city council has jurisdiction. The erection, removal and maintenance of all such devices shall conform to applicable state statutes and the latest edition of the Manual on Uniform Traffic Control Devices. ✖

(b) The commissioner of transportation shall only approve the installation and modification of traffic signals as to type, size, installation, and method of operation.

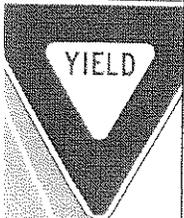
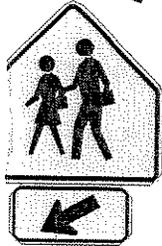
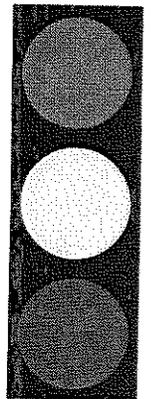
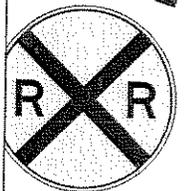
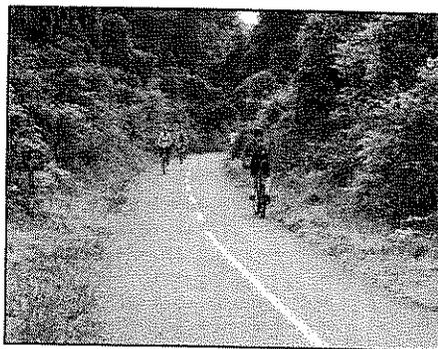
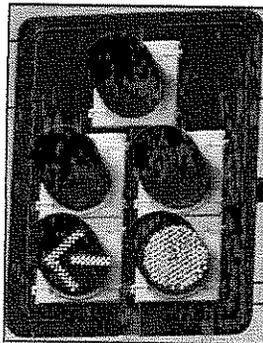
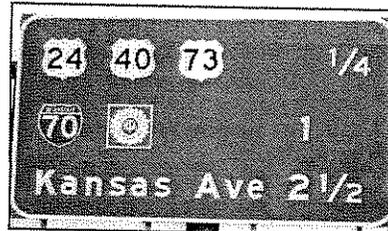
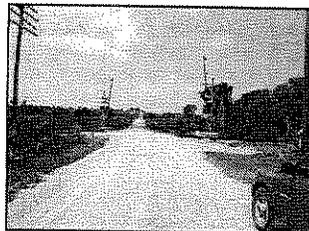


# Manual on Uniform Traffic Control Devices

## for Streets and Highways

# 2003 EDITION

Including Revision 1 dated November 2004  
and Revision 2 dated December 2007



# SCHOOL

U.S. Department of Transportation  
Federal Highway Administration

# MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

## INTRODUCTION

### Standard:

Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by authority of a public agency having jurisdiction.

The Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F and shall be recognized as the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F.

Any traffic control device design or application provision contained in this Manual shall be considered to be in the public domain. Traffic control devices contained in this Manual shall not be protected by a patent, trademark, or copyright, except for the Interstate Shield and any other items owned by FHWA.

### Support:

The need for uniform standards was recognized long ago. The American Association of State Highway Officials (AASHO), now known as the American Association of State Highway and Transportation Officials (AASHTO), published a manual for rural highways in 1927, and the National Conference on Street and Highway Safety (NCSHS) published a manual for urban streets in 1930. In the early years, the necessity for unification of the standards applicable to the different classes of road and street systems was obvious. To meet this need, a joint committee of AASHO and NCSHS developed and published the original edition of this Manual on Uniform Traffic Control Devices (MUTCD) in 1935. That committee, now called the National Committee on Uniform Traffic Control Devices (NCUTCD), though changed from time to time in name, organization, and personnel, has been in continuous existence and has contributed to periodic revisions of this Manual. The FHWA has administered the MUTCD since the 1971 edition. The FHWA and its predecessor organizations have participated in the development and publishing of the previous editions. There were eight previous editions of the MUTCD, and several of those editions were revised one or more times. Table I-1 traces the evolution of the MUTCD, including the two manuals developed by AASHO and NCSHS.

### Standard:

The U.S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that traffic control devices on all streets and highways open to public travel in accordance with 23 U.S.C. 109(d) and 402(a) in each State shall be in substantial conformance with the Standards issued or endorsed by the FHWA.

### Support:

23 CFR 655.603 adopts the MUTCD as the national standard for any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). The "Uniform Vehicle Code (UVC)" is one of the publications referenced in the MUTCD. The UVC contains a model set of motor vehicle codes and traffic laws for use throughout the United States. The States are encouraged to adopt Section 15-116 of the UVC, which states that, "No person shall install or maintain in any area of private property used by the public any sign, signal, marking, or other device intended to regulate, warn, or guide traffic unless it conforms with the State manual and specifications adopted under Section 15-104."

The Standard, Guidance, Option, and Support material described in this edition of the MUTCD provide the transportation professional with the information needed to make appropriate decisions regarding the use of traffic control devices on streets and highways. The material in this edition is organized to better differentiate between Standards that must be satisfied for the particular circumstances of a situation, Guidances that should be followed for the particular circumstances of a situation, and Options that may be applicable for the particular circumstances of a situation.

Throughout this Manual the headings Standard, Guidance, Option, and Support are used to classify the nature of the text that follows. Figures, tables, and illustrations supplement the text and might constitute a Standard, Guidance, Option, or Support. The user needs to refer to the appropriate text to classify the nature of the figure, table, or illustration.

### Standard:

When used in this Manual, the text headings shall be defined as follows:

1. **Standard**—a statement of required, mandatory, or specifically prohibitive practice regarding a traffic control device. All standards are labeled, and the text appears in bold type. The verb shall be typically used. Standards are sometimes modified by Options.

2. **Guidance**—a statement of recommended, but not mandatory, practice in typical situations, with deviations allowed if engineering judgment or engineering study indicates the deviation to be appropriate. All Guidance statements are labeled, and the text appears in unbold type. The verb should is typically used. Guidance statements are sometimes modified by Options.
3. **Option**—a statement of practice that is a permissive condition and carries no requirement or recommendation. Options may contain allowable modifications to a Standard or Guidance. All Option statements are labeled, and the text appears in unbold type. The verb may is typically used.
4. **Support**—an informational statement that does not convey any degree of mandate, recommendation, authorization, prohibition, or enforceable condition. Support statements are labeled, and the text appears in unbold type. The verbs shall, should, and may are not used in Support statements.

Support:

Throughout this Manual all dimensions and distances are provided in the International System of Units, a modernized version of the Metric system, and their English equivalent units are shown in parentheses.

Guidance:

Before laying out distances or determining sign sizes, the public agency should decide whether to use the International System of Units (Metric) or the English equivalent units. The chosen units should be specified on plan drawings. The chosen unit of measurement should be made known to those responsible for designing, installing, or maintaining traffic control devices.

Except when a specific numeral is required by the text of a Section of this Manual, numerals shown on the sign images in the figures that specify quantities such as times, distances, speed limits, and weights should be regarded as examples only. When installing any of these signs, the numerals should be appropriately altered to fit the specific signing situation.

Support:

The following information will be useful when reference is being made to a specific portion of text in this Manual.

There are ten Parts in this Manual and each Part is comprised of one or more Chapters. Each Chapter is comprised of one or more Sections. Parts are given a numerical identification, such as Part 2-Signs. Chapters are identified by the Part number and a letter, such as Chapter 2B-Regulatory Signs. Sections are identified by the Chapter number and letter followed by a decimal point and a number, such as Section 2B.03-Size of Regulatory Signs.

Each Section is comprised of one or more paragraphs. The paragraphs are indented but are not identified by a number or letter. Paragraphs are counted from the beginning of each Section without regard to the intervening text headings (Standard, Guidance, Option, or Support). Some paragraphs have lettered or numbered items. As an example of how to cite this Manual, the phrase "Not less than 12 m (40 ft) beyond the stop line" that appears on Page 4D-12 of this Manual would be referenced in writing as "Section 4D.15, P7, D1(a)," and would be verbally referenced as "Item D1(a) of Paragraph 7 of Section 4D.15."

Standard:

In accordance with 23 CFR 655.603(b)(1), States or other Federal agencies that have their own MUTCDs or Supplements shall revise these MUTCDs or Supplements to be in substantial conformance with changes to the National MUTCD within 2 years of issuance of the changes. Unless a particular device is no longer serviceable, non-compliant devices on existing highways and bikeways shall be brought into compliance with the current edition of the National MUTCD as part of the systematic upgrading of substandard traffic control devices (and installation of new required traffic control devices) required pursuant to the Highway Safety Program, 23 U.S.C. § 402(a). In cases involving Federal-aid projects for new highway or bikeway construction or reconstruction, the traffic control devices installed (temporary or permanent) shall be in conformance with the most recent edition of the National MUTCD before that highway is opened or re-opened to the public for unrestricted travel [23 CFR 655.603(d)(2)]. The FHWA has the authority to establish other target compliance dates for implementation of particular changes to the MUTCD [23 CFR 655.603(d)(4)]. These target compliance dates established by the FHWA shall be as follows:

Section 2A.09 Maintaining Minimum Retroreflectivity—new section—from the effective date of the Final Rule for Revision 2 of the 2003 MUTCD:

- 4 years for implementation and continued use of an assessment or management method that is designed to maintain traffic sign retroreflectivity at or above the established minimum levels;
- 7 years for replacement of regulatory, warning, and ground-mounted guide (except street name) signs that are identified using the assessment or management method as failing to meet the established minimum levels; and
- 10 years for replacement of street name signs and overhead guide signs that are identified using the assessment or management method as failing to meet the established minimum levels.

Section 2A.19 Lateral Offset—crashworthiness of sign supports—January 17, 2013 for roads with posted speed limit of 80 km/h (50 mph) or higher.

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**APPENDIX A1. CONGRESSIONAL LEGISLATION**

## CHAPTER 1A. GENERAL

### **Section 1A.01 Purpose of Traffic Control Devices**

Support:

The purpose of traffic control devices, as well as the principles for their use, is to promote highway safety and efficiency by providing for the orderly movement of all road users on streets and highways throughout the Nation.

Traffic control devices notify road users of regulations and provide warning and guidance needed for the reasonably safe, uniform, and efficient operation of all elements of the traffic stream.

**Standard:**

**Traffic control devices or their supports shall not bear any advertising message or any other message that is not related to traffic control.**

Support:

Tourist-oriented directional signs and Specific Service signs are not considered advertising; rather, they are classified as motorist service signs.

### **Section 1A.02 Principles of Traffic Control Devices**

Support:

This Manual contains the basic principles that govern the design and use of traffic control devices for all streets and highways open to public travel regardless of type or class or the public agency having jurisdiction. This Manual's text specifies the restriction on the use of a device if it is intended for limited application or for a specific system. It is important that these principles be given primary consideration in the selection and application of each device.

Guidance:

To be effective, a traffic control device should meet five basic requirements:

- A. Fulfill a need;
- B. Command attention;
- C. Convey a clear, simple meaning;
- D. Command respect from road users; and
- E. Give adequate time for proper response.

Design, placement, operation, maintenance, and uniformity are aspects that should be carefully considered in order to maximize the ability of a traffic control device to meet the five requirements listed in the previous paragraph. Vehicle speed should be carefully considered as an element that governs the design, operation, placement, and location of various traffic control devices.

Support:

The definition of the word "speed" varies depending on its use. The definitions of specific speed terms are contained in Section 1A.13.

Guidance:

The actions required of road users to obey regulatory devices should be specified by State statute, or in cases not covered by State statute, by local ordinance or resolution consistent with the "Uniform Vehicle Code."

The proper use of traffic control devices should provide the reasonable and prudent road user with the information necessary to reasonably safely and lawfully use the streets, highways, pedestrian facilities, and bikeways.

Support:

Uniformity of the meaning of traffic control devices is vital to their effectiveness. The meanings ascribed to devices in this Manual are in general accord with the publications mentioned in Section 1A.11.

### **Section 1A.03 Design of Traffic Control Devices**

Guidance:

Devices should be designed so that features such as size, shape, color, composition, lighting or retroreflection, and contrast are combined to draw attention to the devices; that size, shape, color, and simplicity of message combine to produce a clear meaning; that legibility and size combine with placement to permit adequate time for response; and that uniformity, size, legibility, and reasonableness of the message combine to command respect.

## CHAPTER 2A. GENERAL

### **Section 2A.01 Function and Purpose of Signs**

Support:

This Manual contains Standards, Guidance, and Options for the signing within the right-of-way of all types of highways open to public travel. The functions of signs are to provide regulations, warnings, and guidance information for road users. Both words and symbols are used to convey the messages. Signs are not typically used to confirm rules of the road.

Detailed sign requirements are located in the following Chapters of Part 2:

Chapter 2B—Regulatory Signs

Chapter 2C—Warning Signs

Chapter 2D—Guide Signs (Conventional Roads)

Chapter 2E—Guide Signs (Freeways and Expressways)

Chapter 2F—Specific Service (Logo) Signs

Chapter 2G—Tourist-Oriented Direction Signs

Chapter 2H—Recreational and Cultural Interest Area Signs

Chapter 2I—Emergency Management Signs

Standard:

Because the requirements and standards for signs depend on the particular type of highway upon which they are to be used, the following definitions shall apply:

- A. Freeway—a divided highway with full control of access;
- B. Expressway—a divided highway with partial control of access;
- C. Conventional Road—a street or highway other than a low-volume road (as defined in Section 5A.01), a freeway, or an expressway; and
- D. Special Purpose Road—a low-volume, low-speed road that serves recreational areas or resource development activities, or that provides local access.

### **Section 2A.02 Definitions**

Support:

Definitions that are applicable to signs are given in Sections 1A.13 and 2A.01.

### **Section 2A.03 Standardization of Application**

Support:

It is recognized that urban traffic conditions differ from those in rural environments, and in many instances signs are applied and located differently. Where pertinent and practical, this Manual sets forth separate recommendations for urban and rural conditions.

Guidance:

Signs should be used only where justified by engineering judgment or studies, as noted in Section 1A.09.

Results from traffic engineering studies of physical and traffic factors should indicate the locations where signs are deemed necessary or desirable.

Roadway geometric design and sign application should be coordinated so that signing can be effectively placed to give the road user any necessary regulatory, warning, guidance, and other information.

Standard:

Each standard sign shall be displayed only for the specific purpose as prescribed in this Manual. Determination of the particular signs to be applied to a specific condition shall be made in accordance with the criteria set forth in Part 2. Before any new highway, detour, or temporary route is opened to traffic, all necessary signs shall be in place. Signs required by road conditions or restrictions shall be removed when those conditions cease to exist or the restrictions are withdrawn.

### **Section 2A.04 Excessive Use of Signs**

Guidance:

Regulatory and warning signs should be used conservatively because these signs, if used to excess, tend to lose their effectiveness. If used, route signs and directional signs should be used frequently because they promote reasonably safe and efficient operations by keeping road users informed of their location.

## Section 2B.05 STOP Sign Applications

Guidance:

STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:

- A. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
- B. Street entering a through highway or street;
- C. Unsignalized intersection in a signalized area; and/or
- D. High speeds, restricted view, or crash records indicate a need for control by the STOP sign.

**Standard:**

**Because the potential for conflicting commands could create driver confusion, STOP signs shall not be installed at intersections where traffic control signals are installed and operating except as noted in Section 4D.01.**

**Portable or part-time STOP signs shall not be used except for emergency and temporary traffic control zone purposes.**

Guidance:

STOP signs should not be used for speed control.

STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs (see Section 2B.08).

Once the decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be based on engineering judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

Support:

The following are considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal volumes and/or characteristics intersect:

- A. Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes;
- B. Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds;
- C. Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection; and
- D. Stopping the direction that has the best sight distance to conflicting traffic.

The use of the STOP sign at highway-railroad grade crossings is described in Section 8B.08. The use of the STOP sign at highway-light rail transit grade crossings is described in Section 10C.04.

## Section 2B.07 Multiway Stop Applications

### Support:

Multiway stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multiway stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multiway stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The restrictions on the use of STOP signs described in Section 2B.05 also apply to multiway stop applications.

### Guidance:

The decision to install multiway stop control should be based on an engineering study.

The following criteria should be considered in the engineering study for a multiway STOP sign installation:

- A. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. A crash problem, as indicated by 5 or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right- and left-turn collisions as well as right-angle collisions.
- C. Minimum volumes:
  1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and
  2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
  3. If the 85th-percentile approach speed of the major-street traffic exceeds 65 km/h or exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

### Option:

Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.