

**CITY OF FORT MITCHELL**

**ORDINANCE 2024-08**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 70 OF THE FORT MITCHELL CODE OF ORDINANCES RELATING TO SPEED HUMP TRAFFIC CONTROL INSTALLATION CRITERIA**

**WHEREAS**, the Fort Mitchell City Council has heretofore adopted official ordinances related to the installation of speed humps within the City;

**WHEREAS**, these ordinances are periodically reviewed and updated as needed;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF FORT MITCHELL, COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

SECTION I

The following sections of Chapter 70 of the Fort Mitchell Code of Ordinances are amended to read as follows:

§ 70.50 PURPOSE.

The use of speed humps on city streets serves to reduce vehicular speeds as well as reduce cut-through traffic on local residential city streets. Both of these effects are realized when speed humps are installed on a city street. ~~Other, less costly forms of traffic control devices, (e.g., stop signs) should be considered the primary means of discouraging speeding and/or bypass traffic, as long as they conform to state and federal law, and local ordinances. Stop signs are less costly to install and can be installed immediately at locations that qualify. When these forms of traffic control are inappropriate, the location may be studied further to determine whether or not it qualifies for speed humps.~~ The application of speed humps is limited to city streets where geometric configuration or design fails to passively deter many drivers from exceeding the speed limit or from using streets as bypass routes. The proper application of speed humps enhances public safety. The city hereby adopts this subchapter in order to utilize speed humps as part of its traffic laws to control traffic and increase the safety of its citizens at and along its city streets. All speed humps will be governed by the provisions set forth herein.

§ 70.52 ELIGIBLE STREETS.

In order for a city street to be eligible for a speed hump, the following initial criteria must first be met:

(A) The street segment must be 750 feet in length between traffic controls, four-way intersections, and/or curves with less than a 250-foot radius.

- (B) The posted speed limit must be 30 mph or less.
- (C) The frontage of subject street segment must be at least 75% residential.
- (D) ~~The ADT must be a minimum of 200 vehicles per day.~~
- ~~(E) A speed survey shall indicate that the 85th percentile speed is at five or more miles per hour over the posted speed limit.~~

#### § 70.53 CRITERIA FOR CONSIDERATION OF SPEED HUMPS.

(A) In order for a citizen to request the installation of a speed hump on a city street eligible under § 70.52 to have a speed hump constructed thereon, the following criteria must first be met:

(1) Delivery to the City Administrative Officer of a petition signed by not less than a total of ten SFR, and/or MFR, or a combination thereof, from the affected street segment where the proposed speed hump is to be installed; a residence is affected if it is located upon the street segment. The petition shall contain the following information:

(a) A caption that includes, in bold font, at least 14 point, "A PETITION TO INSTALL SPEED HUMP(S) ON [Name of street or road] STREET/ROAD";

(b) The legibly printed name, address, and signature of each petitioner; and

(c) A description of the affected street segment, either by listing the addresses or address range of the residents along the segment, or a description of the starting point and stopping point of the affected street segment.

(2) The criteria and requirements set forth in this section and § 70.52 for a speed hump to be located, constructed and installed are met.

(3) The eligible street has not failed to meet the requirements set forth in § 70.52 within one year from the date the petition referenced in § 70.53(A)(1) is delivered to City Administrative Officer.

(B) ~~If the above criteria have been satisfied, the city shall prepare and deliver a notice and ballot relative to the street hump to those persons entitled to vote as provided in § 70.54. City Administrative Officer shall provide the petition to Council for approval.~~

(C) However, nothing in this section shall be construed to prohibit the City from installing a speed hump on a city street eligible under § 70.52 at its discretion. The City retains the right to install a speed hump at any time to enhance the public safety as determined by the Mayor or City Administrator, so long as the criteria set forth in § 70.52, § 70.55, and § 70.56 are met.

#### § 70.54 VOTING AND NOTICE.

~~—(A) For SFRs, one vote per household located upon the affected street segment is allowed; the voter(s) must reside at the household and be 18 years or older, whether they are owners or tenants thereof. For MFRs, one vote is allowed for the owner of record of the two family or multi family residence located upon the affected street segment.~~

~~—(B) Persons entitled to vote on any proposed speed hump shall be given notice and a voting ballot, which may be delivered via a door hanger at their residence, with the ballot attached, or via regular mail, mailed to the last known address or address listed with the contact for the property for the Kenton County Property Value Administrator. The notice shall be sent to the person entitled to vote not less than 18 days prior to the deadline for submitting the ballots. Ballots shall be completed and returned to the city not later than the date set forth in the notice, which shall be not less than 14 days, nor more than 30 days from delivery of the ballot.~~

~~—(C) For approval, a minimum of 75% of ballots mailed must be returned and a two-thirds majority of those persons entitled to vote must be in favor of the installation of speed humps.~~

~~—(D) If a speed hump proposal fails for any reason after the completion of the voting process provided herein, then the street segment for which the voting related may not be considered again for a speed hump for a period of two years.~~

#### ~~§ 70.55 CONSTRUCTION SPECIFICATIONS (SINGLE HUMP).~~

~~—All speed humps shall be constructed of asphalt concrete, have a width of 12 feet, a minimum height of three and one quarter inches and a maximum height of three and three quarter inches at its highest point, and a vertical curvature of 72 feet. All speed humps will extend from lip of gutter to lip of gutter. There will be a two foot horizontal taper originating at the crest of the speed hump and converging at the lip of curb. Asphalt concrete shall be mixed and placed in accordance with the City of Fort Mitchell Specifications.~~

#### ~~§ 70.57 SIGNS AND MARKINGS.~~

~~All signs will be consistent with the Manual of Uniform Traffic Control Devices (MUTCD).~~

~~—(A) In order to alert motorist of upcoming speed humps the following warning devices shall be used:~~

~~—(1) A street sign, at least 30 inches in height and width, stating “SPEED HUMPS AHEAD” or “SPEED HUMP AHEAD,” in four inch series “C” letters, and a second sign placed directly below the 30 inch warning sign recommending a speed of 15 mph;~~

~~—(2) Pavement markings, which shall be 12 inch wide, longitudinal ladder markings, at four feet on center, to be stenciled across each speed hump; and~~

~~—(3) Raised, reflectorized pavement markers installed and placed on the centerline, positioned on the crest and in the front of the speed hump from both approach directions. All warning devices should be easily visible on both approaches to the speed hump.~~

~~—(B) All signs and markings required hereunder shall be part of any contract bid package for the installation of any speed hump.~~

#### § 70.58 REMOVAL OF SPEED HUMPS.

(A) Removing a speed hump may be considered when the criteria listed below are met:

(1) It is shown that a speed hump is ineffective in reducing the speed of vehicles, based on a speed survey conducted for a minimum period of 72 hours. A speed hump shall be deemed ineffective in reducing speed if the 85th percentile and the average speed from such survey are both less than two mph lower than the 85th percentile and average speed reflected in the original speed survey conducted for the installation of the speed hump;

(2) It is shown that a speed hump is ineffective in reducing the volume of vehicles based on an ADT count. A speed hump shall be deemed ineffective in reducing traffic volumes if the ADT is reduced by less than 10% from the street's ADT count performed as part of the installation of speed hump; and

(3) There is a petition in favor of removing the speed hump signed by not less than two-thirds of the residents/owners who would otherwise be entitled to ~~vote on the~~ sign a petition in favor of the installation of the speed hump.

(B) Removing a speed hump that has been installed for less than two years will only be considered if the city is compensated by those requesting its removal for the full cost of removing the speed hump, including costs of design, construction, inspection, signage and administration.

#### § 70.59 FUNDING.

~~—(A) A city street that qualifies for any one of the speed hump program categories may be constructed by the city if there is funding available for the project in the current city budget cycle. The priority of any qualifying project shall be determined at the discretion of the City Council. Those not funded will be considered, based on a priority ranking system, as funding becomes available. Nothing in this section shall obligate the city to allocate such funding.~~

~~—(B) A street that qualifies for one of the speed hump program categories may be funded by an individual or a group of individuals. The individual or group of individuals must enter into a memorandum of understanding (MOU) with the city, wherein the individual or group of individuals agree to pay for all costs associated with the installation of the speed hump(s), including construction, inspection, signage, administration, and the like. Once an MOU has been executed, the speed hump(s) shall be included in the next city speed hump project. Private payment for speed humps does not relieve a location from the requirement of a two thirds majority of~~

~~residents favoring the installation of speed humps, or from any other criterion set forth in these guidelines.~~

SECTION II


All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, if any, hereby repealed.

SECTION III

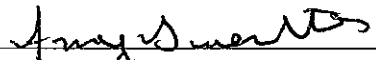
The Provisions of this Ordinance are severable and the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION IV

This Ordinance shall be in full force and effect from and after its passage and publication according to law and said publication may be in summary form.

  
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Jude Hehman  
Mayor

ATTEST:

  
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Amy Guenther  
City Clerk

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SECOND READING: 8/12/2024

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