

CITY COUNCIL REPORT



Meeting Date: August 26, 2025
General Plan Element: **Public Services & Facilities**
General Plan Goal: **Provide a safe environment for all citizens, visitors and private interests**

ACTION

Adopt Ordinance No. 4684 adding Article XIII relating to traffic medians to Chapter 17 of the Scottsdale Revised Code.

BACKGROUND

At the July 2, 2025, Council Meeting, the City Council at the request of Vice Mayor Dubauskas, directed the Interim City Attorney to draft a proposed ordinance to be considered at the August 26, 2025, Council Meeting adding Article XIII to Chapter 17 of the Scottsdale Revised Code, relating to traffic medians (prohibited conduct). Proposed Ordinance No. 4684 was drafted in response to this direction.

The primary goal of the draft ordinance is to enhance the safety of pedestrians and motor vehicle occupants and to promote the orderly flow of traffic. Pedestrians occupying traffic medians for purposes other than temporary refuge while crossing a street can pose significant dangers. These potential dangers include physical injury to pedestrians and vehicle occupants, disruption of traffic flow, and increased traffic delays, especially on streets with higher speed limit.

ANALYSIS & ASSESSMENT

Proposed Ordinance No. 4684 prohibits any person from standing or occupying a traffic median on any roadway with a posted speed limit of 30 mph or greater, except for temporary refuge while lawfully crossing a street at a signalized intersection. Occupying a traffic median through two consecutive opportunities to cross is considered *prima facie* evidence of a violation of the ordinance. A violation of the ordinance is a class three misdemeanor.

The ordinance defines a traffic median as any area separating traffic lanes on a roadway, including paved or unpaved, marked or unmarked, landscaped or non-landscaped portions.

The ordinance does not apply to law enforcement, fire and rescue, or other government employees or contractors acting within their official duties, or to persons lawfully conducting inspection, construction, maintenance, repair, survey, or other authorized services.

RESOURCE IMPACTS

There are no resource impacts. Existing staff will be able to enforce the ordinance.

OPTIONS & STAFF RECOMMENDATION

City staff recommends passing proposed Ordinance No. 4684 adding Article XIII, relating to traffic medians, to Chapter 17 of the Scottsdale Revised Code..


RESPONSIBLE DEPARTMENT(S)

City Attorney's Office

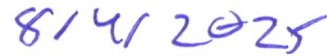
STAFF CONTACTS(S)

Luis Santaella, Interim City Attorney, lsantaella@scottsdaleaz.gov

APPROVED BY



Luis E. Santaella, Interim City Attorney
(480) 312-2405, lsantaella@scottsdaleaz.gov



Date

ATTACHMENTS

1. Ordinance No. 4684

ORDINANCE NO. 4684

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, ADDING ARTICLE XIII TO CHAPTER 17 OF
THE SCOTTSDALE REVISED CODE RELATING TO TRAFFIC MEDIANS

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Chapter 17, Article XIII relating to traffic medians is added to the Scottsdale Revised Code as follows:

Article XIII. - TRAFFIC MEDIANS

Sec. 17-411. Purpose and intent; legislative findings.

(a) It is the purpose and intent of this article to protect the safety of pedestrians and occupants of motor vehicles, and to promote the orderly flow of vehicular and pedestrian traffic.

(b) The Mayor and Council find that the practice of pedestrians occupying traffic medians for any purpose other than as a place of temporary refuge while lawfully crossing a street creates the danger of physical injury to both the pedestrian and the occupants of vehicles, interrupts traffic flow and increases traffic delays. The danger of physical injury or death is particularly high on streets with higher speed limits. The crosswalk portion of a traffic median serves as a safety island to those pedestrians who are crossing the street. Medians also promote the safety of occupants of motor vehicles by serving as an unoccupied buffer between opposing lanes of traffic. Pedestrian and motor vehicle safety is jeopardized when crosswalk and median areas are occupied by persons who are at that location for any reason other than the lawful crossing of a street. Further, persons on medians and roadways who interact with motorists distract and disrupt vehicular traffic and create a safety risk. The city's interest in protecting the welfare of pedestrians and occupants of motor vehicles is compelling.

Sec. 17-412. Prohibited conduct; definitions; exemptions.

(a) No person shall stand upon or otherwise occupy or remain upon a traffic median on any roadway where the posted speed limit is thirty miles per hour (30 mph) or greater, except that a pedestrian may, for no more than one traffic signal cycle length, occupy such a median at a signalized intersection as a temporary refuge when lawfully crossing a street in a crosswalk in accordance with applicable traffic and safety laws. Stopping, standing, or otherwise occupying a traffic median through two consecutive opportunities to cross in accordance with applicable traffic and safety laws is prima facie evidence of a violation of this section.

(b) *Definition.* For the purposes of this section, *traffic median* means any area separating traffic lanes on a roadway. A traffic median includes, but is not limited to, any paved or unpaved, marked

or unmarked, landscaped or non-landscaped, portions of a roadway which exist between lanes of traffic.

(c) *Exemptions.* Nothing in this section shall prohibit the following:

(1) Law enforcement, fire and rescue, or other government employees or contractors acting within the scope of their official duties.

(2) A person lawfully conducting inspection, construction, maintenance, repair, survey, or other similarly authorized services.

Sec. 17-413. Classification and penalty.

A violation of section 17-412 is a class 3 misdemeanor.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2025.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella
Interim City Attorney