



Legislation Details (With Text)

**File #:** 64332      **Version:** 2      **Name:** Crossing Guards to DOT from Police

**Type:** Ordinance      **Status:** Passed

**File created:** 2/22/2021      **In control:** Attorney's Office

**On agenda:** 3/30/2021      **Final action:** 3/30/2021

**Enactment date:** 4/9/2021      **Enactment #:** ORD-21-00031

**Title:** SUBSTITUTE - Repealing Subsection 5.01(4) and Creating Subdivision 3.14(3)(a)3 of the Madison General Ordinances to Formally Move the Crossing Guard Program from the Police Department to the Traffic Engineering Division.

**Sponsors:** Satya V. Rhodes-Conway, Grant Foster

**Indexes:**

**Code sections:**

**Attachments:** 1. 64332 Version 1.pdf

Date	Ver.	Action By	Action	Result
3/30/2021	2	COMMON COUNCIL	Adopt	Pass
3/15/2021	2	TRANSPORTATION POLICY AND PLANNING BOARD - ended 3/2023	Return to Lead with the Recommendation for Approval	Pass
3/10/2021	1	TRANSPORTATION COMMISSION	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	
3/2/2021	1	TRANSPORTATION COMMISSION	Referred	
3/2/2021	1	COMMON COUNCIL	Referred	
2/22/2021	1	Attorney's Office	Referred	

**Fiscal Note**

The 2021 operating budget moved the Crossing Guard program from the Police Department to Traffic Engineering. This move was done for both budgeting and organizational purposes. The proposed ordinance change is needed to reflect the Crossing Guard's move to Traffic Engineering and does not require any change to the 2021 adopted budget.

**Title**

SUBSTITUTE - Repealing Subsection 5.01(4) and Creating Subdivision 3.14(3)(a)3 of the Madison General Ordinances to Formally Move the Crossing Guard Program from the Police Department to the Traffic Engineering Division.

**Body**

DRAFTER'S ANALYSIS: As part of the 2021 adopted operating budget, the City's crossing guard program, established under the authority of Wis. Stat. § 349.215, was relocated from the Police Department to the Traffic Engineering Division of the Department of Transportation. It is necessary, as part of this program relocation, to amend the ordinances. This ordinance will achieve that result.

This substitute corrects an oversight in the initial draft by eliminating the term "school crossing guard" from the new language.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (4) entitled "Crossing Guards and School Crossing Guards" of Section 5.01 entitled "Who Compose the Police Department" of the Madison General Ordinances is repealed.

2. Paragraph 3 entitled "Crossing Guards" of Subdivision (a) entitled "Traffic Engineering Division" of Subsection (3) entitled "Divisions" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is created as follows:

"(3) Crossing Guards. Crossing guards, the location of which shall be determined by the Transportation Commission subject to Sec. 33.56(5)(c)5 of the Madison General Ordinances, after study and recommendation by the City Traffic Engineer, shall be under the direction of the City Traffic Engineer. The Transportation Commission shall adopt guidelines to be used in determining the need for crossing guards. The City Traffic Engineer shall consult with the Police Department and the designee of the impacted school district before making a recommendation. ~~Crossing guards and school crossing guards shall direct and guide children at street and railroad crossings where assigned. All crossing guards shall be furnished a standard uniform and insignia that designate them as crossing guards and shall be equipped with signals or signs to direct traffic to stop at school crossings. Training and supervision of crossing guards shall be under the direction of the Traffic Engineering Division.~~"

Editor's Note: 5.01(4) currently reads:

"(4) Crossing Guards and School Crossing Guards. Crossing guards and school crossing guards, the location of which shall be determined by the Transportation Commission subject to Sec. 3.14(5)(g) of the Madison General Ordinances, after study and recommendation by the Traffic Engineer, shall be appointed by the Chief of Police and shall serve at her or his discretion as it regards efficiency and conduct. The Transportation Commission shall adopt guidelines to be used in determining the need for crossing guards. The Traffic Engineer shall consult with the Police Department and the Madison Public Schools Safety Coordinator before making a recommendation. Crossing guards and school crossing guards shall direct and guide children at street and railroad crossings where assigned. They shall not have the power of arrest. All crossing guards shall be furnished a standard uniform and insignia as prescribed by the Chief of Police which shall remain the property of the Police Department. Training and supervision shall be under the direction of the Police Department."