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**ORDINANCE NO. 2016-09**

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**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA,  
PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING  
CHAPTER 20 OF THE TOWN’S CODE OF ORDINANCES ENTITLED  
“MOTOR VEHICLES AND TRAFFIC” TO ADD A NEW ARTICLE VI  
TO BE ENTITLED “PEDESTRIAN ACTIVITY IN ROUNDABOUTS”;  
RESTRICTING SITTING, STANDING, OR PLACING OBJECTS IN  
ROUNDABOUTS; PROVIDING INTENT, DEFINITIONS, AND  
RESTRICTIONS ON PEDESTRIAN ACTIVITY IN ROUNDABOUTS;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION  
AND AN EFFECTIVE DATE.**

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*Whereas*, there have been numerous instances of pedestrians standing on or about the roundabouts located in the town.

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*Whereas*, such activity is distracting to drivers trying to navigate the roundabouts and is dangerous to the pedestrians.

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*Whereas*, the Town Council finds and declares that it is in the best interests of the citizens, residents, and businesses of the town to enact an ordinance regulating pedestrian use of the roundabouts within the town.

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**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Recitals.** The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

**Section 2. Amendments to the Town of Windermere’s Code of Ordinances.** A new Article VI is hereby added to Chapter 20 of the Town of Windermere’s Code of Ordinances to read as follows:

**ARTICLE VI. -- PEDESTRIAN ACTIVITY IN ROUNDABOUTS**

**Sec. 20-120. -- Intent and purpose.**

It is the intent and purpose of this article to promote the health, safety, and general welfare of pedestrians and the motoring public within the town. It is the intent of this ordinance to regulate conduct and not to affect activities protected by the First Amendment.

**Sec. 20-121. - Definitions.**

For the purpose of this article, the following definitions shall apply:

- (1) “*Circular roadway*” shall mean the curved path used by vehicles to travel in a counterclockwise fashion around a roundabout central island.

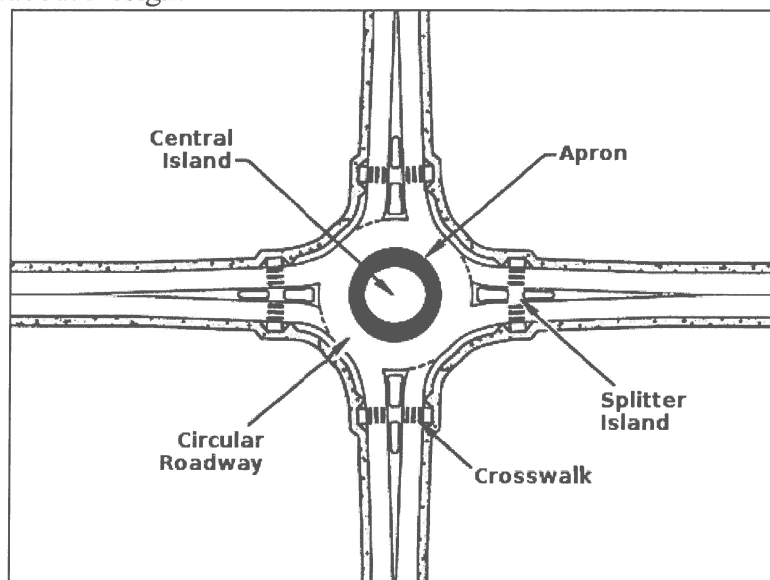
1 (2) "Roundabout" shall mean a one-way circular intersection without traffic signal  
2 equipment in which traffic flows around a center island that operates with yield control at  
3 the entry points, and gives priority to vehicles within the roundabout.

4 (3) "Roundabout apron" shall mean the mountable portion of the central island adjacent  
5 to the circular roadway built upon smaller roundabouts to accommodate wheel tracking  
6 of large vehicles.

7 (4) "Roundabout central island" shall mean the raised area in the center of a roundabout  
8 around which traffic circulates.

9 (5) "Splitter island" shall mean a raised or painted area on a roundabout approach used to  
10 separate entering from exiting traffic, deflect and slow entering traffic, and provide space  
11 for pedestrians crossing the road.  
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13 Typical Roundabout Design:



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16 **Sec. 20-122. - Prohibition on pedestrian activity in roundabouts.**

17 (a) Prohibitions.

18 (1) No pedestrian shall stand, stop, or place objects upon a roundabout apron;

19 (2) No pedestrian shall stand, stop, or place objects upon a roundabout central  
20 island;

21 (3) No pedestrian shall stand within a designated splitter island longer than  
22 reasonably necessary to legally cross the street in accordance with applicable  
23 traffic and safety laws, regulations, and ordinances.

24 (b) Warning. Upon witnessing a violation of this section, a police officer shall issue a  
25 verbal warning to the pedestrian in violation and instruct the pedestrian to leave the  
26 roundabout apron, roundabout central island, or splitter island.

27 (c) Citation. A pedestrian, after having been given a warning by a police officer, who  
28 persists in standing, stopping, or placing objects upon such roundabout apron, roundabout  
29 central island, or splitter island, may be issued a pedestrian violation in the form of a  
30 citation.

1 (d) Exception. This article shall not apply when the person(s) standing, stopping, or  
2 placing objects are government employees or contractors doing so for the purpose of  
3 conducting government authorized construction, maintenance, or similar activities.  
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5 **Section 3. Severability.** If any provision or portion of this ordinance is declared by a court of  
6 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining  
7 provisions and portions of this ordinance shall remain in full effect.  
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9 **Section 4. Codification.** The provisions of this Ordinance shall become and be made a part of  
10 the Town's Code of Ordinances.  
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12 **Section 5. Effective Date.** This Ordinance takes effect immediately upon its enactment.  
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14 **ENACTED** this 10<sup>th</sup> day of January, 2017, at a regular meeting of the Town Council of  
15 the Town of Windermere, Florida.  
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18 Town of Windermere, Florida  
19 by: Town Council

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22 by:   
23 Gary Braun, Mayor

24 Attest:

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28 Dorothy Burkhalter, MMC  
29 Town Clerk  
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31 First reading: December 13, 2016  
32 Second reading: January 10, 2017  
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