

**ORDINANCE AMENDING CHAPTER 20 OF THE DURHAM CITY CODE TO  
ALLOW THE CITY MANAGER TO MAKE ROUTINE DETERMINATIONS  
REGARDING TRAFFIC CONTROL DEVICES IN THE CITY OF DURHAM**

WHEREAS 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 the 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; and

WHEREAS The Manual on Uniform Traffic Control Devices (MUTCD) is approved by the Federal Highway Administrator as the National Standard in accordance with Title 23 U.S. Code, Sections 109(d), 114(a), 217, 315, and 402(a), 23 CFR 655, and 49 CFR 1.48(b)(8), 1.48(b)(33), and 1.48(c)(2); and

WHEREAS the MUTCD is recognized by the City of Durham as the standard for traffic control 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; and

WHEREAS the General Assembly of North Carolina enacted Session Law 2003-85, House Bill 651, An Act Amending the Charter of the City of Durham to Allow the City Manager or his/her Designee to Make Routine Decisions Regarding Routine Traffic Control Measures; and

WHEREAS the City Council desires to grant this authority to the City Manager's designee to improve the timeliness of the installation of routine traffic control devices with greater efficiency while adhering to proscribed State and Federal standards;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM THAT:

Sec. 1. Chapter 20 of the Durham City Code is hereby amended by adding the following new provision:

"Sec. 20-48. Authority to Make Certain Traffic Control Decisions Delegated to Public Works Director.

In addition to the authority delegated to the City Manager by the foregoing provisions, the Public Works Director, as the City Manager's designee, and the professional engineers working for such Public Works Director, shall be authorized to make routine determinations regarding speed limits, parking, loading, standing, and traffic control measures, including the locations of stop signs, yield signs, turn restrictions, loading zones, bus stops, and parking restrictions within the rights-of-way using professional standards for such determinations, such as the Manual on Uniform Traffic Control Devices. The Public Works Department shall maintain a properly indexed inventory of all signs installed or removed under this authority."

Sec. 2. All ordinances or resolutions to the contrary are hereby repealed to the extent of the inconsistency.

Sec. 3. This ordinance is effective upon passage.

**APPROVED BY  
CITY COUNCIL**

OCT 6 2003  
*D. Ann Gray*  
CITY CLERK