

1 **WHEREAS**, the presence of pedestrians in medians or other roadway areas can cause
2 vehicles to slow, stop, or hesitate, disrupting the free flow of traffic and increasing the risk of
3 accidents; and

4 **WHEREAS**, delays at intersections or driveways degrade roadway efficiency and may
5 lead to unsafe driver behavior; and

6 **WHEREAS**, prohibiting the stopping, standing, or lingering on medians is a narrowly
7 tailored and essential measure to mitigate specific public safety hazards and to ensure the safe and
8 orderly flow of vehicular traffic.

9 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHICO DOES**
10 **HEREBY ORDAIN AS FOLLOWS:**

11 **Section 1.** The above recitals are true and correct and are incorporated as part of the
12 findings.

13 **Section 2.** CEQA. The City Council finds that this Ordinance is not subject to the
14 California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity
15 will not result in a direct or reasonably foreseeable indirect physical change in the environment)
16 and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines,
17 California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for
18 resulting in physical change to the environment, directly or indirectly.

19 **Section 3.** Chapter 10.36 of the Chico Municipal Code entitled Pedestrians Prohibited
20 on Medians and other Roadway Areas as follows:

21
22 **Chapter 10.36 – PEDESTRIANS PROHIBITED ON MEDIANS AND OTHER ROADWAY**
23 **AREAS.**

24 **Section 10.36.010 Purpose.**

25 A. The purpose of this Chapter is to promote the safety of pedestrians and motorists by
26 prohibiting individuals from stopping, standing, or remaining in hazardous traffic areas such as
27 medians, pedestrian refuges, and other roadway areas.

28

1 B. The City has observed an increase in unsafe pedestrian activity in these areas, resulting in
2 traffic hazards, near collisions, and interference with the free flow of vehicular traffic.

3 C. Medians and other roadway features are installed for safety reasons to separate opposing
4 lanes of traffic and are not intended for prolonged pedestrian use. Pedestrians may cross a street in
5 accordance with the law and do not need to stand, sit, or otherwise remain on medians and these
6 roadway features for any purpose.

7 D. Nothing in this Chapter shall restrict or impede the use of designated accessible pedestrian
8 routes.

9 **Section 10.36.020 Definitions.**

10 A. "Median" means a raised and curbed area, of variable width, which may or may not contain
11 landscaping or hardscaping features, located in the approximate center of the street or road, parallel
12 to the travel lanes, separating opposing lanes of motor vehicle traffic and channeling the location
13 of the motor vehicle traffic, or located within a private ingress and egress access driveway
14 connecting to a street or roadway.

15 B. "Pedestrian refuge" means any island or area designed to provide pedestrians a safe,
16 temporary stopping place for people to cross the street or road located between lanes of traffic or
17 within crosswalks.

18 C. "Person" means any individual, group, partnership, or entity.

19 D. "Roundabout island" means a raised or curbed circular area in the middle of a roundabout
20 around which traffic circulates.

21 **Section 10.36.030 Prohibited Conduct.**

22 A. No person shall stop, stand, sit, lie, or otherwise remain on or within any median or
23 roundabout island, except for the purposes set forth in Section 10.36.040. To "remain" includes,
24 but is not limited to, walking up and down the median or roundabout island for any purpose.

25 B. No person shall stop, stand, sit, lie, or otherwise remain on or within any pedestrian refuge
26 for longer than is necessary to safely cross the street, except for the purposes set forth in Section
27 10.36.040.

28 **Section 10.36.040 Exemptions.**

1 A. Law enforcement officers, firefighters, emergency personnel, or other public employees
2 acting within the scope of their official duties.

3 B. Persons performing maintenance, construction, or utility work authorized by the City or
4 State.

5 C. Persons in a median, roundabout island, or pedestrian refuge as a direct and immediate
6 result of an emergency situation that necessitates removal from active traffic lanes to a place of
7 temporary safety. For purposes of this section, an emergency situation means any of the following:

8 1. Vehicle Disablement. When an occupant is forced to exit a disabled vehicle that is
9 stopped or parked upon a median strip due to mechanical failure or a collision.

10 2. Imminent Danger. When a pedestrian is attempting to avoid immediate physical harm
11 from an approaching vehicle or other life-threatening hazard.

12 3. Medical Necessity. When a medical emergency or physical distress requires an
13 individual to stop and seek immediate shelter or aid.

14 4. Assisting Others. When a person is rendering immediate aid or assistance to an injured
15 or distressed individual in an emergency situation.

16 **Section 10.36.050 Penalties for Violation – Infraction or Misdemeanor.**

17 A. Any person who violates this section shall be deemed guilty of an infraction and shall be
18 punished by a fine of not more than one hundred dollars (\$100) for the first violation, a fine of not
19 more than two and fifty dollars (\$250) for a second conviction within a period of one year by, and
20 a fine of not more than five hundred dollars (\$500) for a third or any subsequent conviction within
21 a period of one year.

22 B. Any person who violates this section of this code shall be deemed guilty of a misdemeanor
23 punishable by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a period
24 not exceeding six months, or by both such fine and imprisonment.

25 C. The penalties set forth herein are cumulative and in addition to all other remedies,
26 violations, and penalties set forth in the Chico Municipal Code, state or federal law.

27 D. Each day or separate incident of violation shall constitute a separate and distinct offense.
28

1 **Section 4.** Severability. If any provision, clause, or portion of this ordinance is held to be
2 invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the
3 validity of the remaining portions of this ordinance.

4 **Section 5.** Effective Date. This ordinance shall take effect thirty (30) days after its
5 adoption.

6 **Section 6.** Certification. The City Clerk shall certify to the passage and adoption of this
7 Ordinance and shall cause the same to be published or posted in the manner required by law.

8 **THE FOREGOING ORDINANCE WAS PASSED AND ADOPTED** by the City
9 Council of the City of Chico on this 2 day of December , 2025, by the following vote:

10
11 AYES: **O'Brien, van Overbeek, Bennett, Reynolds**

12 NOES: **None**

13 ABSENT: **None**

14 ABSTAINED: **None**

15 DISQUALIFIED: **None**

16
17 ATTEST:

18 

19 Deborah R. Presson
20 City Clerk

APPROVED AS TO FORM:

21 
22 John W. Lam (Dec 4, 2025 15:32:41 PST)
23 John W. Lam, City Attorney*

24
25 *Pursuant to The Charter of
26 the City of Chico, Section 906(E)
27
28







Ordinance 2618

Final Audit Report

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