

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-57 ENACTMENT NO. _____

SPONSORED BY: Renee Grout

1 **ORDINANCE**

2 **ADDING A NEW SECTION TO CHAPTER 12, ARTICLE 2, THE “WRONGFUL**
3 **USE OF BUS STOPS” ORDINANCE, TO PROHIBIT THE MISUSE OF CITY BUS**
4 **STOPS AND SHELTERS.**

5 **WHEREAS, The City of Albuquerque currently maintains bus stops**
6 **throughout the City; and**

7 **WHEREAS, Bus stops exist for the purpose of providing a place where**
8 **passengers can sit, wait, and sometimes have shelter while utilizing the City’s**
9 **public transit services; and**

10 **WHEREAS, Bus stops are at times misused for other purposes like**
11 **sleeping and congregating, as well as unlawful activities such as drug and**
12 **alcohol use, littering, and urinating; and**

13 **WHEREAS, This misuse of bus stops can prevent bus passengers from**
14 **utilizing these areas as they are intended and hinders the efficiency and**
15 **effectiveness of transit service in the City; and**

16 **WHEREAS, The Council wishes to address this issue by limiting the use of**
17 **bus stops and shelters to only their intended transit-related uses during bus**
18 **operating hours.**

19 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
20 **ALBUQUERQUE:**

21 **SECTION 1. A new Section, Section 12-2-30 “Wrongful Use of Bus Stops” is**
22 **hereby added to the municipal code of ordinances:**

23 **“[§ 12-2-30. WRONGFUL USE OF BUS STOPS. The use of bus stops and**
24 **shelters is reserved exclusively for persons utilizing City transit services. No**
25 **person shall:**

1 (A) During bus operating hours, remain at a bus stop or shelter for a
2 period longer than the headway time between scheduled busses, and in no
3 instance for a time in excess of one hour;

4 (B) During bus operating hours, lie down within ten (10) feet of a bus
5 stop, unless due to a medical emergency; or

6 (C) Engage in any conduct that deprives transit users of the intended
7 use of the bus stop.

8 (D) For purposes of this section, a “Bus Stop” is defined as a designated
9 location where busses stop to allow passengers to get on or off the bus. A bus
10 stop may include a pole, a sign, seating, a shelter and a station.]”

11 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
12 clause, word, or phrase of this ordinance is for any reason held to be invalid
13 or unenforceable by any court of competent jurisdiction, such decision shall
14 not affect the validity of the remaining provisions of this resolution. The
15 Council hereby declares that it would have passed this resolution and each
16 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
17 any provisions being declared unconstitutional or otherwise invalid.

18 **SECTION 3. COMPILATION.** The amendments set forth in SECTION 1
19 above shall amend, be incorporated in, and made part of the Revised
20 Ordinances of Albuquerque, New Mexico, 1994.

21 **SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect five days
22 after publication by title and general summary.
23
24
25
26
27
28
29
30
31
32
33