

**ORDINANCE NO. \_\_\_\_\_, SERIES 2021**

**AN ORDINANCE AMENDING LMCO CHAPTER 70 TO PROVIDE FOR TRAFFIC GUARDS AT SCHOOLS WITHIN THE LOUISVILLE METRO BOUNDARIES (AS AMENDED).**

**SPONSORED BY: COUNCIL MEMBER ANTHONY PIAGENTINI AND COUNCIL PRESIDENT DAVID JAMES**

**WHEREAS**, public safety is a core function of local governments; and

**WHEREAS**, traffic guards (or professionals more commonly referred to as crossing guards) are critical to the safety of youth attending schools; and

**WHEREAS**, confusion exists regarding responsibility for staffing and funding such positions; and

**WHEREAS**, increased certainty about who is responsible for providing school crossing guards will create a more stable environment to enhance the safety of children around schools and provide a more stable environment for learning.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“LOUISVILLE METRO COUNCIL”) AS FOLLOWS:**

**SECTION I:** Section 70.10 of the LMCO is hereby amended as follows:

**§ 70.10 DEFINITIONS.**

For the purpose of this chapter, the term ~~TRAFFIC GUARD~~ “traffic guard” shall mean an employee of the Metro Government assigned to the Louisville Metro Police Department, or a non-employee of Metro Government retained by the Chief of the Louisville Metro Police Department (hereafter “Chief”) or his or her designee, for the purpose of (1) assisting children in crossing public streets to and from school as a school

crossing guard, or (2) directing and controlling vehicular and pedestrian traffic as set further in § 70.11.

**SECTION II:** Section 70.11 of the LMCO is hereby amended as follows:

**§ 70.11 TRAFFIC GUARD; POWERS AND DUTIES.**

(A) Pursuant to KRS 67.083(3)(t) and (u), ~~Traffic Guards~~ traffic guards shall direct and control vehicular and pedestrian traffic at such times and locations as directed by the Chief ~~of the Louisville Metro Police Department,~~ hereafter “Chief,” or his or her designee in conformity with this chapter. The Chief, or his or her designee, may enter into agreements with third parties, including but not limited to suburban cities, to provide traffic guard services under this chapter. Traffic guards shall:

- (1) Assist children in crossing public streets to and from schools to which they are assigned.
- (2) Direct traffic in the vicinity of schools to which they are assigned.
- (3) Direct traffic and assist in crowd control at various public events as directed by the Chief or his or her designee.

(B) Nothing contained herein shall be construed to give any traffic guard the power of a peace officer or the power of arrest when acting as a traffic guard.

**SECTION III:** A new section of LMCO chapter 70 shall read as follows:

**§ 70.12 SCHOOL TRAFFIC GUARDS**

The Chief, or his or her designee, shall be responsible for providing trained traffic guards for any K-12 school in the Louisville Metro area where the Chief, or his or her designee, determines that a school traffic guard is reasonably necessary for the safety of the students. School traffic guards shall perform the functions described in subsections

(A)(1) and (2) of Section 70.11. The decision where a school traffic guard is reasonably needed shall may take into consideration factors such as the location of the school and the traffic patterns in the school vicinity. The costs associated with providing trained traffic guards required by this section shall be the responsibility of Louisville Metro Government.

**SECTION IV:** The Chief, or his or her designee, shall provide quarterly updates to Metro Council on the status of traffic guard staffing.

**SECTION V:** This Ordinance shall take effect upon its passage and approval.

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Sonya Harward  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_  
O-349-21 – V.3 School crossing guards – 9-9-21- hh