

Council Members Zamer introduced the following, which was approved:

**LOCAL LAW B OF 2024 (As Amended 5/6/24)**

**A LOCAL LAW AMENDING CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) OF THE CODE OF THE CITY OF ALBANY BY ADDING A NEW PART 42 THERETO CREATING THE CITY OF ALBANY ACTIVE TRANSPORTATION PLANNING COMMISSION**

*Be it enacted, by the Common Council of the City of Albany, as follows:*

**Section 1.** Chapter 42 (Departments and Commissions) of the Code of the City of Albany is hereby amended to read as follows, by adding a new Part 42, to be entitled “Active Transportation Planning Commission” thereto:

**PART 42**  
**ACTIVE TRANSPORTATION PLANNING COMMISSION**

**§ 42-401 Establishment of Commission.**

There is hereby established a commission of the City of Albany to be known as the “Active Transportation Planning Commission.”

**§ 42-402 Definitions.**

**Cyclist**

Any individual sitting atop and actively engaged in the operation of a bicycle, not including a person walking a bicycle.

**Light electric vehicle**

Any small and lightweight electric vehicles, not exceeding 100 pounds, such as electric bikes, electric scooters, and electric skateboards.

**Pedestrian**

Any individual traveling by foot, wheelchair, or other mobility-assisting device.

**§ 42-403 Membership; term; vacancies; meetings.**

A. The Commission shall be composed of five members, three of whom shall be appointed by the Common Council and two of whom shall be appointed by the Mayor. The first act of the members of the Commission, once appointed, shall be to elect a Chairperson and such other officers as the Commission shall deem necessary.

- B. Members shall serve for three year terms. In order to effectuate staggered terms of membership, one member initially appointed by the Mayor shall serve a term of three years, and one shall serve a term of two years; of those appointed by the Common Council, one shall serve a term of one year, one shall serve a term of two years, and one shall serve a term of three years. Members shall continue to serve beyond the expiration of their terms until a new member is appointed or such serving member is reappointed.
- C. Each member must have been a permanent resident of the City of Albany for at least one year before the date of appointment, and must remain a permanent resident for the duration of their term.
- D. At least one of the members of the Commission shall be the parent or guardian of a student in a primary or secondary school within the City of Albany.
- E. The members of the Commission shall have demonstrated an active interest in public affairs and service, and shall have shown reasonably consistent and frequent use of non-automotive modes of transportation, and/or advocacy for pedestrian or cyclist safety and accessibility.
- F. The appointing authorities shall endeavor, to the best of their abilities to appoint individuals that shall be representative of the overall population of the City of Albany with regard to socioeconomic class, race/ethnicity, age, physical ability, and geographical residence; who represent a broad array of interests and priorities regarding pedestrian activity and cycling including but not limited to intensity, duration, and purpose; and who represent different categories of pedestrians and cyclists, including but not limited to: commuting walkers, commercial walkers, recreational walkers, and wheelchair users; and commuting cyclists and recreational cyclists.
- G. Members of the Commission shall serve without compensation.
- H. The Commissioner of the Department of Recreation, the Commissioner of the Department of General Services, the Director of Planning, the City Engineer, and the Chair of the Sustainability Advisory Committee, or their respective designees, shall serve on the Commission in an ex officio capacity. Such ex officio members shall serve in only an advisory capacity and shall neither have a vote nor count toward the Commission's quorum.
- I. The Commission shall meet as often as necessary to discharge its duties in a timely fashion, but no fewer than five times between November 1st and March 1st of each year.

**§ 42-404 Powers and Duties.**

The Commission shall have the following powers and duties:

- A. To determine areas within the City of Albany that pose a safety and/or accessibility risk to pedestrians, cyclists and/or light electric vehicle users;
- B. To perform research and conduct studies on the costs, benefits, and feasibility of changes that should be done to those locations determined to pose a safety and/or accessibility risk to pedestrians and/or cyclists and/or light electric vehicle users in the City of Albany;
- C. To recommend plans for any changes in the City of Albany that advance pedestrian and/or cyclist and/or light electric vehicle user safety and/or accessibility, including but not limited to: expanded or new sidewalks, bollards, protected bicycle lanes, stop signs, and pedestrian crossings;
- D. To review implementation of the City of Albany Bicycle and Pedestrian Master Plan; and recommend changes of the document;
- E. To file an annual report with the Common Council and Mayor's Office by the 1st of March of the following year, and to publish it online. The report should include recommendations for legislative, administrative, and/or related changes based on the findings of such aforementioned determinations and/or research, and include any and all plans for recommended changes and their rationales thereof. The report should also specify the work done by the Commission over the prior year, as well as the work planned for the upcoming year;
- F. If the Commission determines that an unreasonably severe hazard to pedestrian and/or cyclist safety exists within the City of Albany, the Commission shall then submit an official recommendation to the Department of General Services, the Planning Board of the City of Albany, the Department of Recreation, the office of the Mayor, or the Common Council and/or any other related agency, department, or organization the Commission deems responsible, who should then respond within six weeks of submission what action, if any, the City shall take with regard to its recommendation and the reasoning behind such action;
- G. To work in coordination with the other relevant departments, commissions, or organizations to publish maps and create signage for self-guided walking tours, be they recreational, educational or for any other purpose, in the City of Albany, to be available online or inside City Hall; and

H. To afford the public the ability to comment online, or by mail, on related issues and to serve as a forum for residents of the City to engage in civic dialogue regarding the safety and accessibility of walking and cycling in the City.

**Section 2.** This ordinance shall take effect upon final passage, public hearing, and filing with the Secretary of State.

**APPROVED AS TO FORM THIS  
22<sup>ND</sup> DAY OF FEBRUARY, 2024**

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**Corporation Counsel**

**To:** Shaniqua Jackson, City Clerk  
**From:** Jake Eisland, Esq., Research Counsel  
**Re:** Common Council Legislation  
Supporting Memorandum  
**Date:** February 8, 2024  
**Sponsor:** Council Member Zamer

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**TITLE**

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**GENERAL PURPOSE OF LEGISLATION**

The safety of residents is critical to the wellbeing of the residents of Albany. Our pedestrians and Cyclists often share the road with cars, which continues to result in accidents. This legislation would create a commission for pedestrians and cyclists to review the conditions around Albany for cyclists and pedestrians and make recommendations to ensure their safety.

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW**

Generally, new permanent boards, committees, and commissions are created by adding the enabling legislation for such bodies to Chapter 42 of the City Code. Section 504 of the City Charter requires that new City commissions be created by local law.

This legislation does not change any existing law, because the ambit of the Commission's powers and duties are not generally within the current purview of any other City board, commission, or body.

**FISCAL IMPACT**

None.

**Passed by the following vote of all the Council Members elected voting in favor thereof:**

*Local Law B of 2024 was co-sponsored by Council Members Clarke, Farrell, Flynn, Frederick, Hoey, Keegan, Love, Robinson, and Romero*

Affirmative – Adams, Anane, Balarin, Clarke, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Love, Robinson, Romero, and Zamer

Affirmative: 14 | Negative: 0 | Abstain: 0

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Clerk of the Common Council

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President of the Common Council

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

I, Shaniqua Jackson, City Clerk and Clerk of the Common Council, do hereby certify that Local Law B of 2024 was passed at a meeting of the Albany Common Council on May 20, 2024.

In affirmation thereof, I hereto set my hand and affix The Seal of the City of Albany this 18th day of July, 2024.

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Shaniqua Jackson, Clerk of the Common Council