

ORDINANCE NO. 2010 - ____

AN ORDINANCE AMENDING SECTION 5-2-3 OF THE CITY CODE OF THE CITY OF BELGRADE, MONTANA, CONCERNING SPEED REGULATIONS IN SCHOOL ZONES IN THE CITY OF BELGRADE, MONTANA

The purpose of this ordinance is to amend Section 5-2-3 of the City Code of the City of Belgrade, Montana, concerning speed regulations in school zones in the City of Belgrade, Montana, to promote safety.

BE IT ORDAINED by the City Council of the City of Belgrade, Montana, that Section 5-2-3 of the City Code of the City of Belgrade, Montana be amended as follows:

5-2-3: SPEED REGULATIONS:

A. Basic Rule: Any person driving a vehicle on a street, avenue, or alley in the city shall drive the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of traffic, condition of brakes, weight of vehicle, grade and width of such street, avenue, or alley, condition of the surface, and freedom of obstruction to view ahead, and he shall drive it so as not to unduly or unreasonably endanger the life, limb, property, or other rights of a person entitled to the use of the street, avenue or alley.

B. Special Speed Zones: Subject to the provisions of subsection A of this section, and except in those instances where a lower speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive at a speed not exceeding the following, but in any case when such speed would be unsafe, it shall not be lawful:

1. School Speed Zone: There is hereby created in the city a school speed zone, the limits of which are more particularly described below and which are a part hereof, wherein it shall be unlawful for any operator of any vehicle to drive at a speed greater than fifteen (15) miles per hour between the hours of ~~eight o'clock (8:00)~~ seven o'clock (7:00) A.M., and ~~five o'clock (5:00)~~ ten o'clock (10:00) P.M. on days or parts of days when school is in session:

a. All the part of Allison Avenue east from the centerline of that alley lying between and running parallel to Quaw Boulevard and Weaver Street as now laid out and constructed to the east boundary line of Kennedy Street as now laid out and constructed.

b. All that part of Southview Avenue from the centerline of that alley lying between and running parallel to Quaw Boulevard and Weaver Street to the centerline of that alley lying between and running parallel to Kennedy Street and Davis Street.

c. All that part of Weaver Street from a point one-half (1/2) way between Park Avenue and Southview Avenue to a point one-half (1/2) way between Allison Avenue

and Penwell Avenue, as now laid out and constructed.

d. All that part of Kennedy Street from a point one-half (1/2) way between Park and Southview Avenues to a point midway between Allison and Penwell Avenues as now laid out and constructed.

e. Hoffman Street from northern boundary south to Park Street.

f. Northern Middle School south to Park Street.

g. Northern Middle School to the middle of block 100 of Jackrabbit Lane.

h. All of Triple Crown Avenue.

2. School Crossing Zones: There are hereby created in the city school crossing zones, the limits of which are more particularly described and on file in the office of the director of finance, and it shall be unlawful for any operator of any vehicle between the hours of ~~eight o'clock (8:00)~~ seven o'clock (7:00) A.M. and ~~five o'clock (5:00)~~ ten o'clock (10:00) P.M. seven (7) days a week to drive at a speed greater than fifteen (15) miles per hour when approaching within fifty feet (50') or in traversing said school crossing zones. Upon these crossings which have been signed or marked as school crossing zones, it shall be unlawful for the operator of any vehicle to fail to bring said vehicle to a complete stop when such crossing is occupied by a pedestrian.

3. Traffic Signals: The city manager is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at a speed slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

4. State Highway: The speed limit on the state highway shall be twenty five (25) miles per hour.

C. Intent: It is the intent of the city council that the criminal offenses listed in this section be offenses involving legislative intent. Those offenses shall not require proof of any of the mental states described in Montana Code Annotated subsections 45-2-101(35), (43) and (65). (2009 Code)

PROVISIONALLY PASSED AND ADOPTED by the City Council of Belgrade, Montana, at a regular session thereof held on the ____ day of _____ 2010.

Russell C. Nelson, Mayor

Attest:

Marilyn Foltz, Director of Finance

FINALLY PASSED, ADOPTED AND APPROVED by the City Council of Belgrade, Montana, on second reading at a regular session held on the ____ day of _____, 2010.

Russell C. Nelson, Mayor

Attest:

Marilyn Foltz, Director of Finance