

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE O-12-488

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING CHAPTER 10.10 SPEED LIMITS, OF THE MAPLE VALLEY MUNICIPAL CODE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City adopted Ordinance O-05-287, as amended by Ordinance O-00-118, to establish speed limits on designated City roads and highways, now codified at Chapter 10.10, Speed Limits, within the Maple Valley Municipal Code; and

WHEREAS, the City Council adopted Resolution R-02-201 on January 14, 2002, establishing the maximum speed limit on SR 169 (aka the Maple Valley Highway); and

WHEREAS, based on an engineering and traffic investigation, Washington State Department of Transportation (WSDOT) through its State Traffic Engineer approved certain changes to speed limits on SR 169 in 2002, pursuant to actions taken on the State Traffic Engineer Calendar Agenda consistent with the City's adoption of Resolution R-02-201; and

WHEREAS, state law authorizes the Secretary of Transportation to alter the maximum speed limits on a highway as set forth in RCW 46.61.400(2), according to the provisions of RCW 46.61.400(2), .405, .415 and 440(1) and RCW 47.24.020(11); and

WHEREAS, upon the recommendation of City staff, the City Council desires to amend Chapter 10.10 MVMC, consistent with the City Council's action in Resolution R-02-201, and consistent with WSDOT's actions in 2002, to codify the speed limits on SR 169, some of which were amended by both City and WSDOT official actions in 2002;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 10.10.010, Designated, is hereby amended as follows:

10.10.010 Designated.

The speed limits specified in this section shall be the maximum lawful speed, and no person shall drive a vehicle on a City street at a speed in excess of such maximum limits. The speed limit for all streets within the City shall be 25 miles per hour, except as designated below:

A. Thirty-Five Miles Per Hour.

1. Witte Road SE from the north City limits to SR 516 (Kent Kangley Road).
2. SE Wax Road from SR 169 (Maple Valley Highway) to the westerly City limits.
3. 216th Avenue SE from SR 516 (Kent Kangley Road) to the south City limits.
4. SR 169 (Maple Valley Highway) from the north City limits to SE 240th Street.
5. SR 169 (Maple Valley Highway) from MP 12.07 to MP 12.26 when flashing school zone beacon is activated (near Rock Creek Elementary School).

B. Forty Miles Per Hour.

1. SR 516 (SE Kent Kangley Road) from SR 169 (Maple Valley Highway) to the east City limits.
2. SR 516 (SE Kent Kangley Road) from SR 169 (Maple Valley Highway) to the west City limits.
3. SR 169 from SE 260th Street to SE 276th Street.

C. Forty-Five Miles Per Hour.

1. SR 169 (Maple Valley Highway) from SE 240th Street to SE 260th Street.

D. Fifty Miles Per Hour.

1. SR 169 (Maple Valley Highway) from SE 276th Street to south City limits.

10.10.020 Decreasing speed limit.

Whenever it is deemed inadvisable for vehicles to operate at the maximum speed designated on any portion of a City street on account of a sharp curvation, road construction or repairs, any dangerous condition, or other temporary or permanent condition, the legislative authority of the City shall determine and fix a lower maximum speed or otherwise regulate a lesser speed. (Ord. O-00-118 § 2).

10.10.030 School and playground speed zones.

RCW 46.61.400 and RCW 46.61.440 are hereby incorporated by reference as written or hereafter amended.

1. When a child or children are present in the vicinity of a City street posted with school speed limit signs, or when that school speed limit sign is equipped with flashing yellow lights to indicate that the school speed limit sign is in effect, no person shall operate a motor vehicle in excess of 20 miles per hour within the

marked zone. The vicinity of the City street shall be defined as the respective roadway, shoulder area, or sidewalk adjacent to the roadway.

2. When a child or children are present in the vicinity of SR 169 at MP 12.07 to MP 12.26 (near Rock Creek Elementary School) posted with school speed limit signs, or when that school speed limit sign is equipped with flashing yellow lights to indicate that the school speed limit is in effect, no person shall operate a motor vehicle in excess of 35 miles per hour within the marked zone. The vicinity of SR 169 shall be defined as the respective roadway, shoulder area, or sidewalk adjacent to the roadway.

10.10.040 Posting of signs authorized.

The Public Works Director is hereby authorized and directed to cause appropriate signs to be posted informing the public of the speed limits established pursuant to this chapter.

10.10.050 Monetary penalty for speeding in a school or playground zone.

A person found to have committed any infraction relating to speed restrictions within a school or playground speed zone shall be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110, incorporated herein by reference as written or hereafter amended. This penalty may not be waived, reduced or suspended. The school zone safety account is created in the custody of the state treasurer. Fifty percent of the moneys collected for infractions relating to speed restrictions within a school or playground zone and the moneys collected under RCW 46.61.235(5), 46.61.245(2), or 46.61.261(2), incorporated herein by reference as written or hereafter amended, shall be deposited into the account.

Section 2. Severability. If any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days after adoption and publication.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or section/subsection numbering.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY,
WASHINGTON ON THIS 13th DAY OF FEBRUARY, 2012.

William T. Allison, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Christy A. Todd, City Attorney

Date of Publication: February 21, 2012

Effective Date: February 26, 2012