ORDINANCE NO. 3188

AN ORDINANCE of the City Council of the City of Kent, Washington, adding a new chapter, Chapter 9.40, to the Kent City Code relating to vehicular speed limits on certain designated streets.

WHEREAS, the Kent Traffic Code adopts by reference the Model Traffic Ordinance, set forth in Washington Administrative Code in Chapter 308-330 WAC (Ordinance 3170); and

WHEREAS, provisions of the Model Traffic Ordinance, Washington Administrative Code 308-330-270, and RCW 46.61.415 set forth the procedure for the local authority to determine and declare the maximum speed limits on city arterials, streets and other rights of way, and allows such to be done by resolution after an engineering and traffic investigation by the traffic engineer; and

WHEREAS, a list of the speed limits on certain designated streets in the City has been properly made and adopted by Resolution No. 1299, and an amended list has been established to be adopted by resolution; and
WHEREAS, the City Council desires to adopt an ordinance relating to the establishment of vehicular speed limits on streets in the City of Kent; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. There is hereby added to Title 9 of the Kent City Code a new chapter, Chapter 9.40, entitled "Speed Limits" to read as follows:

CHAPTER 9.40
SPEED LIMITS

Sec. 9.40.010. Findings.

The Kent Traffic Code adopts by reference the Model Traffic Ordinance, set forth in Washington Administrative Code in Chapter 308-330 WAC. The Model Traffic Ordinance, pursuant to Washington Administrative Code Section 308-330-270, and RCW 46.61.415, set forth the procedure for a municipality such as the City of Kent to determine and declare the maximum speed limits on city arterials, streets and other rights-of-way, and allows such to be done by resolution after an engineering and traffic investigation by the traffic engineer. The city council finds that it is necessary and appropriate to adopt an ordinance relating to the establishment of vehicular speed limits on
certain designated streets in the City of Kent as authorized by state law.

Sec. 9.40.020. State Speed Law Applicable.

The State traffic laws regulating the speed of vehicles, RCW 46.61.400 through 46.61.475, shall be applicable upon all streets within this City, except as this Chapter, as authorized by state law, declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event, it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this Chapter when signs are in place giving notice thereof.

Sec. 9.40.030. Streets and speed limits.

Pursuant to RCW 46.61.400(2)(a), all city streets within the city limits of the City of Kent shall have a speed limit of 25 miles per hour to be in effect at all times except those streets and/or part of streets which shall have speed limits to be in effect at all times, as established by City Council resolution, pursuant to the Model Traffic Ordinance set forth in Section 9.36.010 of the Kent City Code, more specifically, Washington Administrative Code Section 308-330-270 and RCW 46.61.415, which resolution shall be on file in the City Clerk's office.
Sec. 9.40.040. Approval of State Highway Commission.

The City traffic engineer is directed to obtain from the Washington State Department of Transportation any approval which may be required by RCW 47.24.020, and to see that proper signs are posted along any highway or portion thereof for which such approval is required, notifying the public of the legal speed limit thereon.

Sec. 9.40.050. Regulation of speed by traffic signals.

The traffic engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner.

Sec. 9.40.060. Violations.

Violation of any of the speed limits established pursuant to this chapter, and any city council resolution established hereunder, shall be considered to be a traffic infraction and shall be punishable by a monetary amount that may be determined by statute, ordinance or court rule.

SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.
SECTION 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK (DEPUTY)
DONNA SWAN

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED 4th day of OCTOBER, 1994.
APPROVED 5th day of OCTOBER, 1994.
PUBLISHED 7th day of OCTOBER, 1994.

I hereby certify that this is a true copy of Ordinance No. 3188, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Donna Swaw (SEAL)
BRENDA JACOBER, CITY CLERK (DEPUTY)
DONNA SWAW