AN ORDINANCE of the City of Kent amending Ordinance No. 848, as amended by Ordinances Nos. 857, 861, 866, 882, and 912, relating to motor vehicles, traffic, travel and transportation, and their incidents upon the streets, bicycle paths and other ways open to the public, by amending Sections 25 (a), 79-2, 89, and by adding a new section thereto, numbered Section 95, relating to operating under influence of intoxicants or drugs.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENT as follows:

Section 1. That Ordinance No. 848 of the City of Kent, as amended by Ordinance 857, adding a new section known as Section 25(a), be and the same is hereby amended to read as follows:

Section 25 (a). Increasing speed limit in certain zones. It is hereby determined on the basis of an engineering and traffic investigation that the speed permitted by state law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and sign posting of said streets as arterial highways, and reason of widely spaced intersections, and it is hereby declared that the speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated at the times specified when signs are erected giving notice thereof, but in no case shall the speed limit exceed forty-five (45 m.p.h) miles per hour.

That the streets and/or parts of streets, speed limits, and times therefor herein referred to are as follows:

<table>
<thead>
<tr>
<th>Name of streets or Portions thereof affected</th>
<th>Speed Limit</th>
<th>Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. East Smith St. (SSH 5A) from its intersection by Kennebec Ave. to Alvord Ave.</td>
<td>35 m.p.h.</td>
<td>At all times</td>
</tr>
<tr>
<td>2. SSH 5A from its intersection by Alvord Ave. to the East City Limits</td>
<td>45 m.p.h.</td>
<td>At all times</td>
</tr>
<tr>
<td>3. West Meeker St. (SSH 5A from its crossing by the Milwaukee St. Paul &amp; Pac.R.R.Co. crossing to the West City Limits.</td>
<td>35 m.p.h.</td>
<td>At all times</td>
</tr>
<tr>
<td>4. Central Ave. North (SSH 5) from its intersection by James St. to the North City Limits</td>
<td>35 m.p.h.</td>
<td>At all times</td>
</tr>
<tr>
<td>5. O'Brien Rd. from the East City Limits to the West City Limits</td>
<td>35 m.p.h.</td>
<td>At all times</td>
</tr>
<tr>
<td>6. State Ave. South (SSH 5) from its intersection by East Willis St. to the South City Limits</td>
<td>35 m.p.h.</td>
<td>At all times</td>
</tr>
</tbody>
</table>

Section 2. That Section 79-2 of Ordinance No. 848, as added
by Ordinance No. 861, as amended by Ordinance No. 866, as amended
by Ordinance No. 882, and as amended by Ordinance 912, be and
the same is hereby amended to read as follows:

Section 79-2. Parking prohibited during certain hours on
certain streets. When signs are erected in each block giving
notice thereof, no person shall park a vehicle between the
hours of 4:00 a.m. and 7:00 a.m. of any day, except Sundays
and public holidays, within the district or upon any of the
streets hereinafter in this section described. "Public Holi­
days" within the meaning of this section embrace only days for
the observance of the birth of George Washington, on the 22nd
day of February, for Memorial Day on the 30th day of May,
for the anniversary of the Declaration of Independence on the
4th day of July; for Labor Day, on the first Monday in Septem­
ber; for Thanksgiving Day, on the date fixed for the observance
thereof by the Governor of the State of Washington; for
Christmas Day on the 25th day of December; and for New Years
Day on the 1st day of each new year. If any of these public
holidays falls upon any Sunday, the date next following such
date shall be the holiday therefor.

The streets or parts of streets, or the district, upon which
parking is prohibited between the hours of 4:00 a.m. and
7:00 a.m., except Sundays and public holidays, by the terms
of this Ordinance, are as follows:

All of the "Parking Meter Zone" as is now, or may hereafter
be established as such by the City Council of the City of
Kent.

Section 3. That Section 89 of Ordinance No. 848 be, and it
is hereby, amended to read as follows:

Section 89. Statutes adopted. The following statutes, to­
gether with all amendments and additions to such statutes when
printed and three copies thereof filed with the City Clerk of
the City of Kent, are hereby adopted by reference: Sec. 1,
Ch. 189, Laws of 1937, except subsections (f), (p), and (t)
thereof
RCW Chapter 46.04 except Section 46.04.070
Sec. 4, Ch. 189, Laws of 1937, RCW 46.08.040
Sec. 1, Ch. 200, Laws of 1947, RCW 46.08.050
Sec. 12, Ch. 189, Laws of 1937, RCW 46.32.060
Sec. 13, Ch. 189, Laws of 1937, RCW 46.32.070
Sec. 43, Ch. 189, Laws of 1937, RCW 46.36.110
Sec. 3, Ch. 200, Laws of 1947, RCW 46.36.130
Sec. 1, Ch. 151, Laws of 1945, RCW 46.48.130-.140
Sec. 4, Ch. 200, Laws of 1947, RCW 46.44.010
Sec. 3, Ch. 116, Laws of 1941, RCW 46.44.050
Sec. 52, Ch. 189, Laws of 1937, RCW 46.44.060
Sec. 53, Ch. 189, Laws of 1937, RCW 46.44.070
Sec. 56, Ch. 189, Laws of 1937, RCW 46.44.100
Sec. 57, Ch. 189, Laws of 1937, RCW 46.44.110
Sec. 67, Ch. 189, Laws of 1937, RCW 46.48.050
Sec. 68, Ch. 189, Laws of 1937, RCW 46.48.060
Sec. 69, Ch. 189, Laws of 1937, RCW 46.48.070
Sec. 70, Ch. 189, Laws of 1937, RCW 46.48.080
Sec. 9, Ch. 200, Laws of 1947, RCW 46.48.050
Sec. 10, Ch. 200, Laws of 1947, RCW 46.48.100
Sec. 11, Ch. 200, Laws of 1947, RCW 46.48.110

2.
Secs. 2, 3, Ch. 56, Laws of 1951, RCW 46.60.230 (Sec. 2 Repealed)
Secs. 1 - 8, 9 (with exception of the first sentence of Sec. 9), Ch. 76, Laws of 1951, RCW 46.47.010 - .070, RCW 46.40.070 and RCW 46.47.090 except the first sentence of RCW 46.47.090
Secs. 2, 3 Ch. 167, Laws of 1951, RCW 46.52.010 - .011
Secs. 16, 20, 22 - 24, 26 - 28, 30 - 32, Ch. 269, Laws of 1951, RCW 46.16.135, 46.44.020, 46.44.030 - .036, RCW 46.44.040 - .044, 46.44.046 - .048
Sec. 59, Ch. 188, Laws of 1937, RCW 46.20.190
Sec. 64, Ch. 188, Laws of 1937, RCW 46.20.260
Sec. 65, Ch. 188, Laws of 1937, RCW 46.20.250
Sec. 67, Ch. 188, Laws of 1937, RCW 46.20.280
Sec. 69, Ch. 188, Laws of 1937, RCW 46.20.350

Section 4. That Article XIX of Ordinance No. 848, as added by Ordinance No. 882, be and it is hereby amended by adding thereto a new section numbered 95, relating to operating under influence of intoxicants or drugs - chemical analysis, etc., as follows:

Section 95. Operating under influence of intoxicants or drugs - Chemical analysis, etc. It is unlawful for any person who is under the influence of or affected by the use of intoxicating liquor or of any narcotic drug to drive or be in actual physical control of any vehicle upon the public highways.

In any criminal prosecution for a violation of the provisions of this section relating to driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

If there was at the time 0.05 percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;

If there was at that time in excess of 0.05 percent but less than 0.15 percent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

If there was at that time 0.15 percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor. Nothing herein contained shall be construed as requiring any person to submit to a chemical analysis of his blood, and the refusal to submit to such an analysis shall not be admissible in evidence in any criminal prosecution for a violation of the provisions of this section or in any civil action.
It is unlawful for any person who is an habitual user of or
under the influence of any narcotic drug or who is under the
influence of any other drug to a degree which renders him
incapable of safely driving a vehicle to drive a vehicle
upon the public highways. The fact that any person charged
with a violation of this section is or has been entitled to
use such drug under the laws of this state shall not consti­
tute a defense against any charge of violating this section.

Upon first conviction for the violation of the provisions
of this section, the court shall impose a fine of not less
than Fifty ($50.00) Dollars or more than Three-hundred ($300.00)
Dollars, and not less than five (5) days or more than ninety
(90) days in jail, and shall, in addition thereto, suspend
the operator's license of such person for not less than thirty
(30) days. Upon second conviction for a violation of the
provisions of this section within a period of five (5) years,
the court shall impose a fine of not less than One-hundred
($100.00) Dollars or more than Three-hundred ($300.00) Dollars,
and not less than thirty (30) days or more than ninety (90)
days in jail, and neither the fine nor the jail sentence
so imposed shall be suspended and shall, in addition thereto,
suspend the operator's license of such person for not less
than sixty (60) days after the termination of such jail
sentence. Upon any subsequent conviction for a violation
of the provisions of this section within a period of five
(5) years, the court shall impose a fine of not less than
One-hundred ($100.00) Dollars or more than Three-hundred ($300.00)
Dollars and not less than thirty (30) days or more than
ninety (90) days in jail, and neither the fine nor the jail
sentence so imposed shall be suspended, and shall, in
addition thereto, revoke the operator's license.

In any case provided for in this section where a driver's
license is to be revoked or suspended, such revocation or
suspension shall be stayed and shall not take effect until
after the determination of any appeal from the conviction
which may lawfully be taken, but in case such conviction is
sustained on appeal such revocation or suspension shall take
effect as of the date that the conviction becomes effective
for other purposes; it being the intent and purpose of this
section that licenses shall remain in full force and effect
during the period that any appeal is pending.

Section 5. This ordinance shall take effect five (5)
days after its passage, approval and publication as by law
provided.
Speed Limits
Traffic Regulations

Sec. 35-4, 79-3, 89
AMENDED
BY ORD. 846

As amended by Ord. 952
Ord. 980, 1884, 412

Sec. 95
AMENDED
BY ORD. 993

Sec.
AMENDED
BY ORD. 1191

Re operation of vehicle
while under influence
of intoxicants or drugs

Repealed by Ord. 1763