AN ORDINANCE of the City of Kent amending Section 25(a) of Ordinance No. 848, as added by Ordinance No. 857, as amended by Ordinance No. 936, and amending Section 95 of said Ordinance No. 848, as added by Ordinance No. 936, relating to motor vehicles, traffic, travel and transportation and their incidents upon the streets, bicycle paths and other ways open to the public.

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

Section 1. That Section 25(a) of Ordinance No. 848 of the City of Kent, passed April 21, 1952, and approved April 22, 1952, as added by Ordinance No. 857 of said City, passed and approved March 2, 1953, and as amended by Ordinance No. 936, passed November 19, 1956, approved November 20, 1956, be and it 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 sixty (60) 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 Clark Ave. to Alvord Ave.</td>
<td>35 m.p.h.</td>
<td>at all times.</td>
</tr>
<tr>
<td>2. Canyon Drive (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 Chicago, Milwaukee, St. Paul &amp; Pac. R.R. crossing to Washington Ave.</td>
<td>35 m.p.h.</td>
<td>at all times.</td>
</tr>
<tr>
<td>4. West Meeker St. (and/or Kent-Des Moines Rd. (SSH 5A) from Wash. Ave. to West city limits</td>
<td>50 m.p.h.</td>
<td>at all times.</td>
</tr>
<tr>
<td>5. Central Ave. North and East Valley Rd. (PSH5) from James St. to South 228th St.</td>
<td>35 m.p.h.</td>
<td>at all times.</td>
</tr>
<tr>
<td>6. Central Ave. North and/or East Valley Rd. (PSH5) from South 228th St. north to the City limits</td>
<td>50 m.p.h.</td>
<td>at all times.</td>
</tr>
</tbody>
</table>
7. O'Brien Rd. from East Valley Rd. (PSH 5) west to west City Limits
   35 m.p.h. at all times.

8. State Ave. South (PSH 5) from its intersection by East Willis St. south to the south City Limits
   35 m.p.h. at all times.

9. Wash. Ave. (West Hi-way - SSH 5M) from West Meeker St. north to the City Limits
   35 m.p.h. at all times.

10. Wash. Ave. (West Hi-way - SSH 5M) from West Meeker St. south to the South City Limits
    35 m.p.h. at all times.

11. Frager Rd., from the Kent Des Moines Rd. south to the south City Limits
    35 m.p.h. at all times.

12. Frager Rd., from Kent Des Moines Rd. north to north City Limits
    35 m.p.h. at all times.

13. Reith Rd. from Kent Des Moines Rd. west to west City Limits
    45 m.p.h. at all times.

14. Lake Fenwick Rd.#2 from Reith Rd. south to south City Limits
    35 m.p.h. at all times.

15. Russell Rd. from Kent Des Moines Rd. north to north City Limits
    35 m.p.h. at all times.

16. So. 218th St. from East Valley Rd. (PSH 5) east to east City Limits
    35 m.p.h. at all times.

17. East James St. and/or So. 240th St. from Summit Ave. east to east City Limits
    35 m.p.h. at all times.

18. 94th Ave. So. from So. 240th St. north to the north City Limits
    35 m.p.h. at all times.

19. 94th Ave. So. from So. 240th St. south to south City Limits
    35 m.p.h. at all times.

20. That portion of U.S. Highway 99 (PSH #1) lying within the City Limits
    50 m.p.h. at all times.

21. That portion of Military Rd. lying within the Kent City Limits
    50 m.p.h. at all times.

Section 2. That Section 95 of Ordinance No. 848 of said City, passed April 21, 1952, approved April 22, 1952, as added by Ordinance No. 936 of said City, passed November 19, 1956, approved November 20, 1956, be and it is hereby amended to read 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.

2.
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 constitute a defense against any charge of violating this section.

Whenever any person is convicted in the police court of the City of Kent of a violation of the provisions of this section, the court shall impose the following penalties:

(a) If the person convicted has not before been convicted of a violation of the provisions of this section, or of the same or similar provisions of the laws of the State of Washington or of any municipality thereof, 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; the court shall in addition thereto, suspend the operator's license of such person for not less than thirty (30) days.

(b) If the person convicted has once before, within a period of five (5) years, been convicted of a violation of the provisions of this section, or of the same or similar provisions of the laws of the State of Washington or of any municipality thereof, 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; the court 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.

(c) If the person convicted has two or more times before, within a period of five (5) years, been convicted of a violation of the provisions of this section, or of the same or similar provisions of the laws of the State of Washington or of any municipality thereof, 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 may be suspended; the court shall, in addition thereto, revoke the operator's license of such person.

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 3. This ordinance shall take effect five (5) days after its passage, approval and publication as by law provided.

Mayor

City Clerk

City Attorney

Passed September 15, 1958
Approved September 15, 1958
Published September 17, 1958
Motor Vehicle Traffic

Amending 25a of Ord. 848, as added by 857, as amended by 936, and amending Sec. 95 of Ord. 848 as added by Ord. 936 - Amended by 1018 (Sec. 25A)

Repealed by Ord. 1963