

RESOLUTION NO. 5 FOR 2003

A RESOLUTION TO SET BASIC RULE 25 MILE PER HOUR SPEED ZONE ON A PORTION OF 44TH AVENUE BETWEEN AIRPORT ROAD AND MAIN STREET.

WHEREAS, Sweet Home Municipal Code Chapter 10.04.030 provides that the City Council may, by resolution, establish or alter traffic and parking control; and

WHEREAS, the Traffic Safety Committee of the City of Sweet Home has considered and does recommend the following traffic controls be established,

WHEREAS, ORS 810.010(3) The governing body of an incorporated city is the road authority for all highways, roads, streets and alleys, other than state highways, within the boundaries of the incorporated city, and

WHEREAS, ORS 810.180 Designation of speed limits; rules: This section grants authority to establish speeds for operation of a vehicle upon a highway and speeds that are different from those established under ORS 811.105 as evidence of violation of the basic speed rule under ORS 811.100, and 810.180(8) The department (Oregon Department of Transportation), by rule, may designate reasonable and safe speeds on highways or portions of highways, and

WHEREAS, ORS 811.100 Violation of basic speed rule; penalty: (1) A person commits the offense of violation the basic speed if the person drives a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to all of the following: (a) The traffic, (b) The surface and width of the highway, (c) The hazard at intersections, (d) Weather, (e) Visibility, (f) any other conditions then existing; and (2)(c)(C) A maximum speed limit in an urban area under ORS 811.123, and

WHEREAS, ORS 811.123 Violation of maximum speed limit in urban area: (1) A person commits the offense of violating a maximum speed limit in an urban area if the person drives a vehicle upon a highway in any city or upon a highway within an urban growth boundary that is in a county with a population greater than 100,000 at a speed greater than any speed posted by authority granted under ORS 810.180 or, if no speed is posted, the following: (e) Twenty-five miles per hour on a highway in a residential district if the highway is not an arterial highway, and

WHEREAS, the City of Sweet Home is situated in Linn County, Oregon with a county population of 104,000 as indicated by the Certified Estimates for Oregon, Its counties and cities, July 1,2002 released December 16, 2002, by the Population Research Center, Portland State University.

WHEREAS, 44th Avenue is designated as a Minor Street in the Transportation Element portion of the Sweet Home Comprehensive Plan.

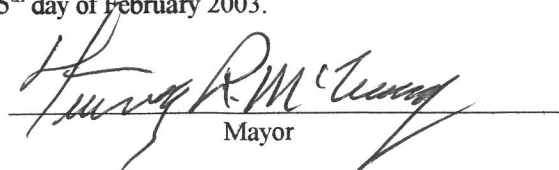
WHEREAS, the 44th Avenue speed zone of 35 miles per hour was set by order #3207 on July 11, 1979.

THE CITY OF SWEET HOME DOES RESOLVE AS FOLLOWS:

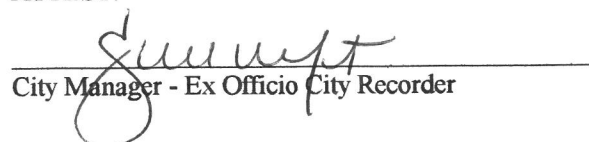
That a Speed Zone be established on 44th Avenue between Airport Road and Main Street (U.S. Highway 20) consistent with the State of Oregon Basic Rule speed of 25 miles per hour for residential zones.

THIS resolution shall be effective immediately upon its passage and posting, and any resolution and orders contrary hereto are hereby made of no further force and effect.

PASSED by the City Council and approved by the Mayor this 25th day of February 2003.


Mayor

ATTEST:


City Manager - Ex Officio City Recorder