

# Ordinance No. 00028

[\(Council Minutes 95/12/18\)](#)

## ORDINANCE NO. 28

AN ORDINANCE of the City Council of the City of Lakewood, Washington, providing for speed limits, enforcement and penalties for violations thereof

WHEREAS, the City of Lakewood will be incorporated effective February 28, 1996; and,

WHEREAS, among the responsibilities being assumed by the City will be those involving designation and posting of speed limits on City streets; and,

WHEREAS, pursuant to the provisions of Section 35A.46.010 of the Revised Code of Washington and Sections 46.61.400 through 46.61.415 of the Revised Code of Washington, the City is authorized to establish maximum speeds on city streets and those portions of state highways which pass through the City; and,

WHEREAS, in order to provide for consistent and traffic and vehicular use of City streets, it is appropriate for the City Council to establish speed limits, a mechanism for determining the streets to which speed limits apply, and posting of speed limit signs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. Speed Limits. The maximum speed limit for all streets or roads within the City is established as twenty-five miles (25) per hour except where a lower or greater maximum speed limit is specifically established as provided by this Ordinance or by state law and posted with appropriate signage.

Section 2. City Manager Authorized to Designate Speed Limits. The City Manager or designee is authorized to designate the maximum speed limit for all streets or roads within the City where a different maximum speed limit is set than the speed limit of twenty-five (25) miles per hour, except where a lower or greater maximum speed limit is specifically established by City Ordinance or by state law. In making speed limit determinations, the City Manager or designee shall consider traffic levels of service and safety in light of relevant circumstances and applicable factors. Any streets with a different maximum speed limit than twenty-five (25) miles per hour shall be posted with appropriate signage.

Section 3. City Manager to Maintain List of Streets With Designated Speed Limits.

The City Manager or designee shall maintain a list of City streets and roads, designating the maximum speed limits thereon as established by the City, provided that the maximum speed limit on all City streets or roads not included in the listing is twenty-five miles per hour as specified in Section 1 of this Ordinance. The list shall be made available to the public during all normal City Hall business hours.

Section 4. Traffic-Control Devices.

The City Manager or designee is directed to post City streets and roads with the proper traffic-control devices to regulate the maximum speed limits as established by the City, including traffic control signs in school zones pursuant to RCW 46.61.440, and said speed limits shall become effective when posted. The maximum legal speed limit on any City street or road or portion thereof which is not posted with a regulatory speed limit sign is twenty-five miles per hour.

Section 5. Penalty. A violation of the established speed limits shall be an infraction and punished in accordance with WAC 308-330.

Section 6. Severability. Should 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 7. Effective date.

This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary and on February 28, 1996, the official date of incorporation.

ADOPTED by the City Council this 18th day of December, 1995

/S/ Bill Harrison

Mayor

Attest:

/S/ Alice M. Bush

City Clerk

Approved as to Form:

/S/ Daniel B. Heid

City Attorney

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