

ORDINANCE NO. 2017-_____

ROAD SPEED LIMITS

AN ORDINANCE TO ESTABLISH A SPEED LIMIT ON A SECTION OF LAKE HELENA DRIVE, NORTH OF THE EAST HELENA CITY LIMITS AND THE CAUSEWAY AT LAKE HELENA, LEWIS AND CLARK COUNTY, MONTANA, AND TO PROVIDE PENALTIES FOR A VIOLATION THEREOF.

WHEREAS, the Lewis and Clark County Board of County Commissioners(County Commission) requested a review of the speed limit on Lake Helena Drive, Lewis and Clark County; and

WHEREAS, the Lewis and Clark County Public Works Department requested that Abelin Traffic Services of Helena, Montana, perform a speed study on this road and determine if the posted speed limit is appropriate for the existing road conditions and travel patterns; and

WHEREAS, Section 61-8-310, MCA allows the Lewis and Clark County Commission to establish speed limits on any public highway as defined in 60-1-103, MCA; and

WHEREAS, Lake Helena Drive, north of the East Helena City Limits, in Lewis and Clark County, Montana is a public road as defined in Section 60-1-103 MCA; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF LEWIS AND CLARK COUNTY, STATE OF MONTANA:

SECTION 1. SPEED LIMIT ESTABLISHED.

The speed limit shall be a consistent 45 miles per hour from Boundary Street to Deal Lane, and the speed limit should remain 35 miles per hour on the gravel section from Deal Lane to the Causeway, pursuant to attached "Exhibit A – Abelin Lake Helena Speed Limit Study."

SECTION 2. SPEED LIMIT SIGNS.

Upon receiving notice of the regulatory speed limit established by this Ordinance, and after the passage of at least 30 days from the date this Ordinance is adopted, the Public Works Department shall erect the appropriate signs giving drivers notice of the regulatory speed limit established by this Ordinance.

SECTION 3. SEVERABILITY.

Should any court declare any part of this Ordinance unconstitutional or invalid, the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid, shall remain in effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect thirty days after the date of the Second Reading and approval of this Ordinance by the County Commission.

SECTION 6. MODIFICATION.

This Ordinance may be modified by formal action by the County Commission in the same manner as required in the adoption of the Ordinance.

SECTION 7. DURATION.

This Ordinance shall remain in effect until repealed or suspended by other legislative or judicial action.

READ and adopted at first reading this ____ day of _____, 2017 by the Lewis and Clark County Board of County Commissioners, State of Montana.

**FOR LEWIS AND CLARK COUNTY
BOARD OF COUNTY COMMISSIONERS**

BY

Susan Good-Geise, Chair

(Seal)

Attest:

Paulette DeHart, Clerk of the Board

READ and adopted at the second and final reading this ____ day of _____, 2017, by the Lewis and Clark County of Board of County Commissioners, State of Montana.

**FOR LEWIS AND CLARK COUNTY
BOARD OF COUNTY COMMISSIONERS**

BY

Susan Good-Geise, Chair

(Seal)

Attest:

Paulette DeHart, Clerk of the Board