

ORDINANCE 1, 1998

AN ORDINANCE ESTABLISHING A 20 MPH SPEED ZONE ON CERTAIN PORTIONS OF MONROE STREET, MOORESVILLE, INDIANA

WHEREAS, the Town of Mooresville has conducted an engineering and traffic investigation on SR 267, commonly known as Monroe St., Mooresville, Indiana in the vicinity of Newby Elementary School for purposes of determining whether or not the existing speed limit is reasonable and safe under the conditions found to exist on this portion of SR 267;

WHEREAS, the traffic investigation revealed a vehicle count of approximately 580 vehicles per hour during the morning school session pedestrian traffic and approximately 680 vehicles per hour in the afternoon when school is dismissed;

WHEREAS, these periods of high traffic which were occurring when children were walking to and from school were on sidewalks that adjoin a two (2) lane paved highway with no parking lanes and limited sight distance for the southbound traffic on this State Highway;

WHEREAS, the existing posted speed limit in this area of 30 mph;

WHEREAS, there are crossing guards posted on duty at the intersection of Morgan St. and Main St. and no other areas;

WHEREAS, there are significant numbers of students attending Newby Elementary School of which and excess of ninety (90) are classified as walkers getting to and from school as pedestrians;

WHEREAS, Monroe Street in the near vicinity of Newby Elementary School presents a potentially dangerous condition for the pedestrian traffic due to the construction of the road, number of vehicles and lack of any buffer between the sidewalk and the highway;

WHEREAS, local authorities have the power pursuant to IC-9-4-1-58 to do their own engineering and traffic investigation to determine the proper maximum speed on local streets and to declare a reasonable and safe maximum speed permitted under IC 9-4-1-58;

WHEREAS, the Town Council of Mooresville, after reviewing the engineering and traffic investigation, now determines that the reasonable and safe maximum speed permitted on Monroe St. in the vicinity of Newby Elementary School (that portion of Monroe St. between Main St. and Carlisle St.) should be 20 mph when children are present and the appropriate signage should be erected to advise of the speed limitations

when children are present and further that the Department of Highways should be notified of the change in the speed limit in this area.

SECTION I

BE IT HEREBY ORDERED AND ORDAINED for the control of traffic and for the safety and welfare of the pedestrian traffic in the immediate vicinity of Newby Elementary School that the maximum speed limit permitted on Monroe St. between W. Main St. and Carlisle St. shall be 20 mph when children are present, that the proper signage shall be posted by the Mooresville Street Department and that the Department of Highways shall be given notice by registered letter before the speed limit takes effect. The 20 mph maximum speed limit shall be effective on SR 267 a/k/a Monroe St. between Carlisle St. and Main St. at all times when children are present.

SECTION II

The Town of Mooresville Street Department shall place the required signage to give notice to the general public of the speed limit and when it is effective, all pursuant to the requirements of Indiana Code and State Highway signage requirements and shall post the appropriate signs on and along said street setting forth the 20 mph speed limit for all motor vehicles using this portion of SR 267 (Monroe St. between Carlisle and Main St.) when children are present.

SECTION III

Violations of this Ordinance shall be punishable by fines of not less than Five Dollars (\$5.00) nor more than Seventy-Five Dollars (\$75.00) based upon the speed of the vehicle, the traffic conditions and general safety of the pedestrians based upon the facts that occurred at the time of violation.

SECTION IV

Whereas an emergency exists, said Ordinance is declared to be in full force and effect on the passage of the same, publication and notice by certified letter or registered letter to the Indiana Department of Highway of this change and the appropriate signage being placed on Monroe St.

Said Ordinance passed and adopted this 6th day of January, 1998.

Mooresville Town Council

Toby Dolen
James Hensley
Mark Mathis
Andy Pygman

(Original Signatures on file with Town Hall.)

