

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 4, 2008 AGENDA

Subject:	Type:	Submitted By:
AMEND MUNICIPAL CODE SECTION 71.111 - SPEED LIMIT EXCEPTIONS	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

An ordinance has been prepared to amend the City of La Vista Municipal Code Section 71.111 in order to make exceptions to the general speed limits within the city set forth in §71.110.

FISCAL IMPACT

NA

RECOMMENDATION

Approval

BACKGROUND

The La Vista Municipal Code establishes speed limits for all public roadways within the city. Recommended changes to the code are a result of recent annexations. It is also recommended that 96th Street from Giles Road south to Portal Road be changed from 35 mph to 45 mph in order to stay consistent with the posted speed limit north and south of this section. Portal Road from 96th Street to 107th Street and West Giles Road from Giles Road to the BNSF Railroad Crossing are being added to the traffic code.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 71.111; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 71.111. Section 71.111 of the La Vista Municipal Code is amended to read as follows:

§ 71.111 EXCEPTIONS.

(A) The driver of an emergency vehicle, except wreckers towing disabled vehicles and highway maintenance vehicles and equipment, may as set forth in § 71.108 and Neb. RS 60-6,114 exceed the maximum speed limits set forth in § 71.110, so long as he or she does not endanger life, limb, or property. (Neb. RS 60-6,114) (79 Code, § 5-409)

(B) The following are specific exceptions to the general speed limits within the city set forth in § 71.110 above:

(1) *Highway N-85 (also known as 84th Street).* Except during school hours, no person shall operate a motor vehicle at a speed greater than 45 miles per hour on the section of Highway N-85 (also known as 84th Street) situated between the northerly and southerly corporate limits of La Vista. During school hours, no person shall operate a motor vehicle at a speed greater than 40 miles per hour in designated school zones on this section of Highway N-85.

(2) *Seventy-Second Street.* Except during school hours, no person shall operate a motor vehicle at a speed greater than 35 miles per hour on 72nd Street in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed. During school hours, no person shall operate a motor vehicle at a speed greater than 15 miles per hour in designated school zones on this section of 72nd Street.

(3) *North side of Giles Road; from 66th to 96th Street.* No person shall operate a motor vehicle at a speed greater than 35 miles per hour on the north half of Giles Road between 66th Street and 96th Street in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(4) *North and south side of Giles Road from 96th Street to 120th Street Interstate 80.* No person shall operate a motor vehicle at a speed greater than 45 miles per hour on Giles Road between 96th Street and 120th Street Interstate 80 in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(5) *South side of Harrison Street from 69th Street to 92nd 96th Street.* No person shall operate a motor vehicle at a speed greater than 45 miles per hour on Harrison Street between 69th Street and 92nd 96th Street in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(6) *North and south side of Harrison Street from Hell Creek to Harry Anderson Boulevard.* No person shall operate a motor vehicle at a speed greater than 45 miles per hour on Harrison Street between Hell Creek and Harry Anderson Boulevard in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(7) *96th Street from Giles Road Harrison Street to Cornhusker Portal Road.* No person shall operate a motor vehicle at a speed greater than 35 45 miles per hour on 96th Street between Giles Road Harrison Street and Cornhusker Portal Road in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(8) *108th Street from Giles Road north to the Railroad Crossing Chandler Road.* No person shall operate a motor vehicle at a speed greater than 40 miles per hour on 108th Street between Giles Road and the railroad crossing Chandler Road to the north of the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(9) *Southport East and Southport West subdivisions.* No person shall operate a motor

vehicle at a speed greater than 25 miles per hour on Westport Parkway, Southport Parkway, Port Grace Boulevard and Eastport Parkway, located within the Southport East and West subdivisions; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

('79 Code, § 5-406) (Ord. 85, passed -; Ord. 135, passed -; Ord. 174, passed -; Am. Ord. 304, passed 4-20-82; Am. Ord. 1012, passed 10-17-06) Penalty, see § 70.999

(10) Portal Road from 96th Street to 107th Street. No person shall operate a motor vehicle at a speed greater than 40 miles per hour on Portal Road between 96th Street and 107th Street in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.

(11) West Giles Road from Giles Road to the BNSF Railroad Crossing. No person shall operate a motor vehicle at a speed greater than 45 miles per hour on West Giles Road between Giles Road and the BNSF Railroad Crossing in the city; provided, however, in those instances where a lower speed is prescribed by §§ 71.112 and 71.113, said lower speed shall be observed.
('79 Code, § 5-406) (Ord. 85, passed -; Ord. 135, passed -; Ord. 174, passed -; Am. Ord. 304, passed 4-20-82; Am. Ord. 1012, passed 10-17-06) Penalty, see § 70.999

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF NOVEMBER 2008.

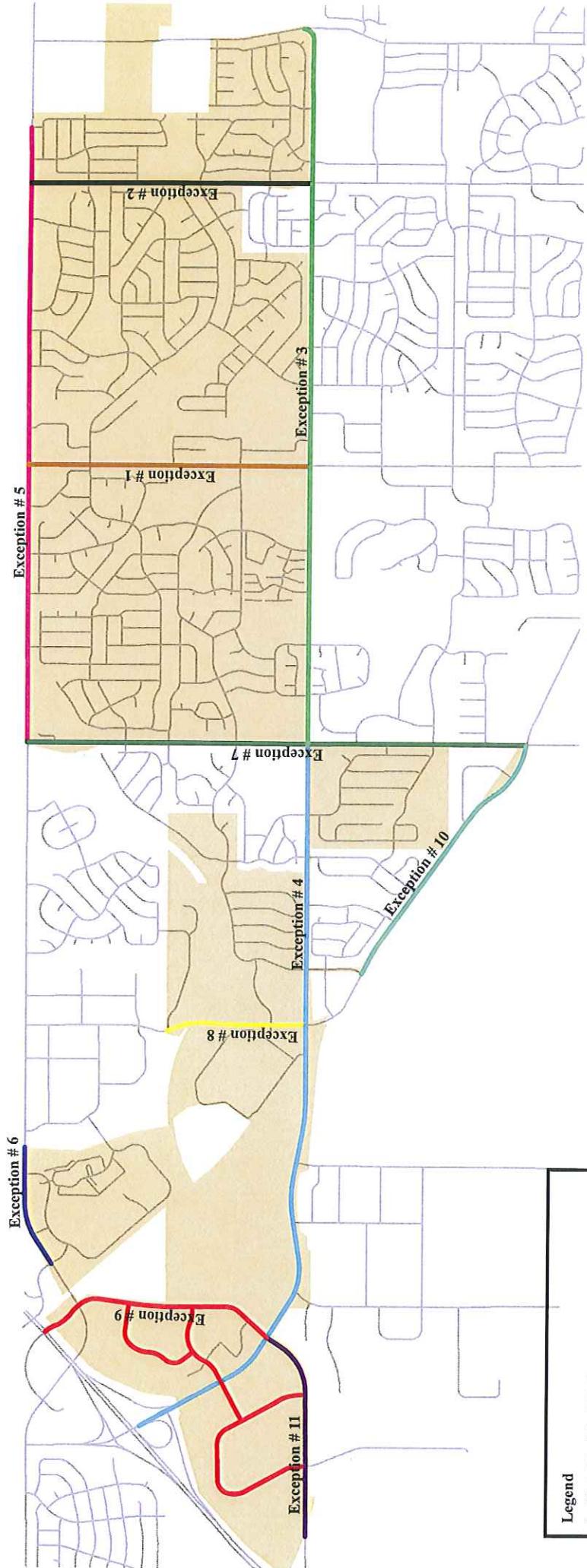
CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Exhibit to Ordinance



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