

ORDINANCE NO. 1993-02

AN ORDINANCE OF MARTIN COUNTY, STATE OF INDIANA,
PROVIDING FOR MAXIMUM SPEED LIMITS ON COUNTY HIGHWAYS,
PROVIDING PENALTY FOR VIOLATION,
AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Board of Commissioners of the County of Martin, State of Indiana, in the interests of public safety, desire to regulate the flow of traffic by setting maximum speed limits for motor vehicles on the highways within the jurisdiction of Martin County,

WHEREAS, an engineering and traffic study has been conducted by the Martin County Highway Department, and

WHEREAS, the speed limit set by state statute is greater than is reasonable and safe under the conditions found to exist on the county highways in Martin County,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARTIN, STATE OF INDIANA:

SECTION 1. For purposes of this Ordinance:

(a) "Motor vehicle" means a vehicle that is self-propelled. The term does not include a motorized bicycle that is self-propelled. (I.C. 9-13-2-105(b))

(b) "Highway" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular traffic. (I.C. 9-13-2-73)

(c) "County highway" means any highway located in Martin County which is not a highway or an extension of a highway in the Indiana state highway system and which is not within the corporate boundaries of any city or town.

SECTION 2. The maximum speed limit for motor vehicles on all county highways shall be thirty-five (35) miles per hour.

SECTION 3. The maximum speed limit established by this Ordinance shall be effective at all times and when appropriate signs giving notice of the maximum speed limit are erected upon or at the entrances to a county highway or upon any part of a county highway to be affected.

SECTION 4. The Martin County Highway Department shall be responsible for erecting and maintaining signs in compliance with state law and regulations to indicate to the general public the maximum speed limits on county highways.

SECTION 5. A person may not drive a vehicle on a county highway at a speed in excess of the maximum limit.

SECTION 6. A person who drives a motor vehicle in violation of this Ordinance shall be subject to imposition of the same judgment proscribed for a Class C Infraction as set out in I.C. 34-4-32-4.

SECTION 7. All ordinances or parts of ordinances in conflict with the foregoing ordinance are hereby repealed.

SECTION 8. If any section, paragraph, sentence, clause or phrase in this Ordinance is declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected by such declaration and shall remain in full force and effect.

SECTION 9. This Ordinance shall be effective commencing thrity (30) days after its adoption and its publication purusant to I.C. 5-3-1, or April 1, 1993, whichever is later.

PASSED AND ADOPTED this 15 of March, 1993.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF MARTIN

Dale E. Abel

Dale E. Abel, President

Max D. Warren

Max D. Warren, Commissioner

Dale E. Brown

Dale E. Brown, Commissioner

ATTEST:

Victor P. Crew

Victor P. Crew
Auditor of Martin County