

ORDINANCE NO. 19-1118

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON,
EXTENDING THE SCHOOL SPEED ZONE ALONG SR-169;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, residents of the City have raised concerns about the safety of children walking to or from school along SR-169 (3rd Avenue) in front of Black Diamond Elementary School; and

WHEREAS, the Black Diamond City Council wishes to address these safety concerns by expanding the 20-MPH speed zone along 3rd Avenue in the vicinity of Black Diamond Elementary School; and

WHEREAS, RCW 46.61.440(1) explicitly prohibits the operation of a vehicle on a public highway in excess of 20 MPH within 300 feet in either direction of a marked school crosswalk when the crosswalk is posted with standard school speed limit signs; and

WHEREAS, RCW 46.61.440(2) explicitly authorizes cities, by ordinance, to extend 20-MPH school and playground speed zones along highways bordering marked schools and playgrounds to a maximum of 300 feet from the border of the school property or playground, so long as the area is consistent with active school or playground use; and

WHEREAS, the City Council finds that the area along 3rd Avenue bordering Black Diamond Elementary School and extending 300 feet north and south from the boundaries of the school property is consistent with active school and/or playground use; and

WHEREAS, the City Council believes public safety would be enhanced by expanding the existing school speed zone to the maximum extent allowed by law, and by posting 20-MPH school speed zone signs to reflect this extended school zone; and

WHEREAS, the City Council desires that the 20-MPH school speed zone located near the school crosswalk on 3rd Avenue be extended to the full length allowed by law to reach the intersection of 3rd Avenue and Lawson Street; and

WHEREAS, the City Council desires to amend Chapter 10.08 of the Black Diamond Municipal Code ("BDMC") by adding a new section to accomplish these purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. New Section 10.08.070 BDMC. Pursuant to RCW 46.61.440, new section 10.08.070 of the Black Diamond Municipal Code is added as follows:

10.08.070 School Speed Zone on 3rd Avenue.

(1) A school speed zone with a maximum speed limit of 20 miles per hour is hereby established, pursuant to RCW 46.61.440(2), for vehicles operating in both directions on 3rd Avenue (SR-169) bordering Black Diamond Elementary School and extending 300 feet north and south from the boundaries of the school property. Standard school speed limit signs shall be posted and maintained along 3rd Avenue notifying the public of the speed limit in this location.

(2) A school speed zone with a maximum speed limit of 20 miles per hour, as provided in RCW 46.61.440(1), is recognized for vehicles operating in both directions on 3rd Avenue (SR-169) within 300 feet north and south of the marked school crossing near the southern boundary of Black Diamond Elementary School. Standard school speed limit signs shall be posted and maintained along 3rd Avenue notifying the public of the speed limit in this location.

Section 2. 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.


ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 7TH DAY OF MARCH, 2019.

CITY OF BLACK DIAMOND



Carol Benson, Mayor

Attest:


Brenda L. Martinez, City Clerk

Approved as to form:

David Linehan, City Attorney

Filed with the City Clerk: 03/08/2019
Passed by the City Council: 03/07/2019
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