**CITY OF ILWACO**

**ORDINANCE NO. 881**

AN ORDINANCE TO LOWER THE SPEED LIMIT BETWEEN MILEPOSTS (MP) 11.93 AND 12.23, IMPLEMENTING A TRANSITION SPEED ZONE OF 35 MILES PER HOUR (MPH) AND CLOSURE OF THE PASSING LANE ON HIGHWAY 101.

**WHEREAS,** the safety of citizens and visitors in Ilwaco are of utmost concern and it has been determined by the DOT, upon conclusion of a traffic investigation, that dangerous driving conditions exist due to the existing 45mph speed zone and lack of visibility on the stretch of Highway 101 from MP 11.93 to MP 12.23 that runs parallel to the Black Lake; and

**WHEREAS,** the DOT has determined that a speed transition zone of 35mph be implemented, along with the closure of the passing lane between the above-mentioned MPs to enhance driver safety; and

**WHEREAS,** pursuant to RCW 46.61.415(1), the City has the authority to determine and declare a reasonable and safe maximum speed limit based on the DOT’s traffic and engineering investigation.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Based on the results of the DOT’s traffic investigation and the subject to the approval of the State Traffic Engineer, the speed limit shall be lowered from 45mph to 35mph and the passing lane shall be closed between MP 11.93 and MP 12.23.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect upon approval by the Secretary of Transportation and the posting of appropriate signs implementing approved changes, provided that, in no event shall this Ordinance take effect less than (5) days after its passage, approval, and publication of an approved summary of the title as provided by law.

**Passed by the City Council of the City of Ilwaco, AND SIGNED IN AUTHENTIFICATION OF ITS PASSAGE this 23rd day of July, 2018.**

ATTEST:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Gary Forner, Mayor

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Stephanie Davis, City Clerk

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| VOTE | Oakes | Bageant | Sprague | Lessnau | Mathison | Forner |
| Ayes | X | X | X | X | X |  |
| Nays |  |  |  |  |  |  |
| Abstentions |  |  |  |  |  |  |
| Absent |  |  |  |  |  |  |

PUBLISHED: August 1, 2018

EFFECTIVE: August 6, 2018