

City of Scottsbluff, Nebraska

Monday, October 17, 2016

Regular Meeting

Item Reports2

Discussion and instructions to staff regarding school speed zones.

Staff Contact: Kevin Spencer, Police Chief

City Ordinance

(d) SPEED

22-2-55. General restriction; reasonableness; prudence.

No person shall operate a vehicle on any street or alley within the City at a speed greater than that which is reasonable and prudent under the conditions and circumstances then existing. Nothing contained in any other provision of this Chapter shall be construed to permit any speed in excess of the limits described by this section. (Ord. 1723, 1968; Ord. 1116)

22-2-56. Particular streets; speed limits; creation; authorized.

The City Council, whenever it shall determine by resolution that the public safety, convenience or welfare require or warrant, by resolution may establish the maximum speeds at which motor vehicles may be operated on particular streets, or parts of streets, within the City. It shall be unlawful for any person to operate a motor vehicle on a street or part of a street in excess of the maximum speed limit so established. (Ord. 2195, 1976; Ord. 1116)

22-2-57. Same; marking.

Appropriate signs showing the maximum speed limit as established pursuant to this Article shall be erected next to the curb in a conspicuous position on the streets, or parts of streets, in respect of which such speed limit has been established. Provided, this section shall not be construed to require the erection of such signs on streets, or parts of streets, in respect of which there has been established a maximum speed limit which is the same as a maximum speed limit prescribed for such street, or part of street, by State law. (Ord. 2195, 1976; Ord. 1116)

22-2-58. Near schools; limit.

It shall be unlawful for the driver of any vehicle, when passing premises on which elementary or middle school buildings are located and which are used for school purposes, during school recess or while children are going to and from school during opening or closing hours, to drive the vehicle past the premises at a rate of speed in excess of fifteen (15) miles per hour. (Ord. 1589, 1966; Ord. 1116; Ord. 4129, 2014)

22-2-59. Alleys; limits.

No vehicle shall be operated in any alley at a rate of speed in excess of ten (10) miles per hour. (Ord. 1116)

22-2-60. Racing vehicles; prohibited.

It shall be unlawful for any person to operate a vehicle upon any street, alley or public place of the City in a speed contest, including those commonly known as drag races, whether from a standing start or otherwise, over a measured or unmeasured distance, the object of which is to better or defeat one or more contestants on the basis of elapsed time, superior performance or speed. The fact that the vehicle shall not have exceeded the maximum speed limit for such street, alley or public place shall not be a defense to a prosecution for operating the vehicle in a speed contest. (Ord. 1797, 1969; Ord. 1116)

22-2-61. Unlawful speed; right-of-way; forfeited.

The driver of every vehicle traveling at an unlawful rate of speed shall forfeit any right-of-way which he might otherwise have had under the ordinances of the City. (Ord. 1116)

22-2-62 to 21-2-64. Reserved

State Statute

60-658.01. School crossing zone, defined.

School crossing zone means the area of a roadway designated to the public by the Department of Roads or any county, city, or village as a school crossing zone through the use of a sign or traffic control device as specified by the department or any county, city, or village in conformity with the manual but does not include any area of a freeway. A school crossing zone starts at the location of the first sign or traffic control device identifying the school crossing zone and continues until a sign or traffic control device indicates that the school crossing zone has ended.

Source:Laws 1997, LB 91, § 3.

60-682.01.

Speed limit violations; fines.

(1) Any person who operates a vehicle in violation of any maximum speed limit established for any highway or freeway is guilty of a traffic infraction and upon conviction shall be fined:

- (a) Ten dollars for traveling one to five miles per hour over the authorized speed limit;
- (b) Twenty-five dollars for traveling over five miles per hour but not over ten miles per hour over the authorized speed limit;
- (c) Seventy-five dollars for traveling over ten miles per hour but not over fifteen miles per hour over the authorized speed limit;
- (d) One hundred twenty-five dollars for traveling over fifteen miles per hour but not over twenty miles per hour over the authorized speed limit;
- (e) Two hundred dollars for traveling over twenty miles per hour but not over thirty-five miles per hour over the authorized speed limit; and
- (f) Three hundred dollars for traveling over thirty-five miles per hour over the authorized speed limit.

(2) The fines prescribed in subsection (1) of this section shall be doubled if the violation occurs within a maintenance, repair, or construction zone established pursuant to section 60-6,188. For purposes of this subsection, maintenance, repair, or construction zone means (a)(i) the portion of a highway identified by posted or moving signs as being under maintenance, repair, or construction or (ii) the portion of a highway identified by maintenance, repair, or construction zone speed limit signs displayed pursuant to section 60-6,188 and (b) within such portion of a highway where road construction workers are present. The maintenance, repair, or construction zone starts at the location of the first sign identifying the maintenance, repair, or construction zone and continues until a posted or moving sign indicates that the maintenance, repair, or construction zone has ended.

(3) The fines prescribed in subsection (1) of this section shall be doubled if the violation occurs within a school crossing zone as defined in section 60-658.01.