

An Ordinance to amend Sec. 4-470. - Enhanced speeding penalty on certain residential streets; signs.

\* Amends O-2019-004

Sec. 4-470. - Enhanced speeding penalty on certain residential streets; signs.

*Purpose.* The purpose of this section is to implement the enhanced speeding penalties authorized by Code of Virginia, § 46.2-878.2<sup>1</sup> for operation of a motor vehicle in excess of the maximum speed limit on certain residential streets.

*Applicability.* The provisions of this section shall apply to Main Street (Route 2/301) within the corporate limits of the Town of Bowling Green.

Signs shall be posted on North and South Main Street (Route 2/301) indicating the maximum speed along with the penalty.

*Criteria.* The Town has determined that the 85th percentile speed on such street, highway or other public way or portion thereof is ten miles per hour greater than the posted speed limit.

*Violation.* Operation of any motor vehicle in excess of a maximum speed limit established for a highway in a residence district of the City, when indicated by signs placed in accordance with the provisions of this section, shall be unlawful and shall constitute a violation of this section.

*Penalty.* Violation of this section shall constitute a traffic infraction punishable by a fine of ~~not more than~~ \$200.00, in addition to other penalties provided by law.

<sup>1</sup> § 46.2-878.2. Maximum speed limits in certain residence districts of counties, cities, and towns; penalty.

Operation of any motor vehicle in excess of a maximum speed limit established for a highway in a residence district of a county, city, or town, when indicated by appropriately placed signs displaying the maximum speed limit and the penalty for violations, shall be unlawful and constitute a traffic infraction punishable by a fine of \$200, in addition to other penalties provided by law.

No portion of the fine shall be suspended unless the court orders 20 hours of community service.

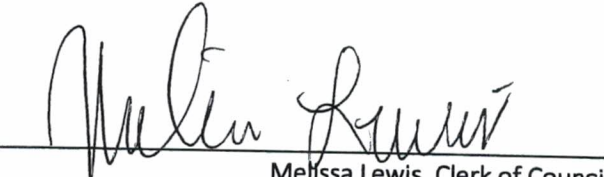
The Commissioner of Highways or any local governing body having jurisdiction over highways shall develop criteria for the overall applicability for the installation of signs. Such criteria shall not exclude highways, functionally classified as minor arterials, serving areas that either (i) were built as residential developments or (ii) have grown to resemble residential developments, provided, in either case, (a) such highways are experiencing documented speeding problems and (b) the local governing body requests the application of this section to such highway.

Such signs may be installed in any town and shall not require the approval of the county within which such town is located.

Any such signs installed in any town shall be paid for by the town requesting the installation of the signs, or out of the county's secondary system construction allocation.

Adopted this 7<sup>th</sup> day of November, 2019 by the Town Council of Bowling Green, Virginia

  
Hon. Jason E. Satterwhite, Mayor

  
Melissa Lewis, Clerk of Council

ORDINANCE NUMBER O-2019-004

ORDINANCE NUMBER O-2019-004 ENHANCED SPEEDING PENALTY ON CERTAIN RESIDENTIAL STREETS; SIGNS.

BE IT ORDAINED by the Bowling Green Town Council, at its regular monthly meeting on the 1st day of August, 2019, that the Bowling Green Town Council amended the Bowling Green Town Code as follows:

Sec. 4-470. - Enhanced speeding penalty on certain residential streets; signs.

*Purpose.* The purpose of this section is to implement the enhanced speeding penalties authorized by Code of Virginia, § 46.2-878.2<sup>1</sup> for operation of a motor vehicle in excess of the maximum speed limit on certain residential streets.

*Applicability.* The provisions of this section shall apply to Main Street (Route2/301) within the corporate limits of the Town of Bowling Green.

Signs shall be posted on North and South Main Street (Route2/301) indicating the maximum speed along with the penalty.

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Operation of any motor vehicle in excess of a maximum speed limit established for a highway in a residence district of a county, city, or town, when indicated by appropriately placed signs displaying the maximum speed limit and the penalty for violations, shall be unlawful and constitute a traffic infraction punishable by a fine of \$200, in addition to other penalties provided by law.

No portion of the fine shall be suspended unless the court orders 20 hours of community service.

The Commissioner of Highways or any local governing body having jurisdiction over highways shall develop criteria for the overall applicability for the installation of signs. Such criteria shall not exclude highways, functionally classified as minor arterials, serving areas that either (i) were built as residential developments or (ii) have grown to resemble residential developments, provided, in either case, (a) such highways are experiencing documented speeding problems and (b) the local governing body requests the application of this section to such highway.

Such signs may be installed in any town and shall not require the approval of the county within which such town is located.

Any such signs installed in any town shall be paid for by the town requesting the installation of the signs, or out of the county's secondary system construction allocation.

*Criteria.* The Town has determined that the 85th percentile speed on such street, highway or other public way or portion thereof is ten miles per hour greater than the posted speed limit.

*Violation.* Operation of any motor vehicle in excess of a maximum speed limit established for a highway in a residence district of the City, when indicated by signs placed in accordance with the provisions of this section, shall be unlawful and shall constitute a violation of this section.

*Penalty.* Violation of this section shall constitute a traffic infraction punishable by a fine of not more than \$200.00, in addition to other penalties provided by law.

Adopted this 1st day of August 2019  
by the Town Council of Bowling Green, Virginia



Honorable Jason E. Satterwhite, Mayor



Clerk of the Council