



## **COUNCIL ORDINANCE No. 24-05**

### **AN ORDINANCE OF THE CITY OF MANZANITA, OREGON REDUCING THE SPEED LIMIT TO 20 MILES PER HOUR IN RESIDENCE DISTRICTS WITHIN THE CITY OF MANZANITA.**

**WHEREAS**, the 2019 Oregon Legislature passed SB 558, which included amendments to ORS 810.180 to authorize cities to designate by ordinance a speed that is five miles per hour (“MPH”) lower than the statutory speed on non-arterial streets in “residence districts” under their jurisdiction; and

**WHEREAS**, Volume 2 of the Nehalem Bay Transportation System Plan for Manzanita assessed ‘key needs’ to inform recommended projects, including “traffic calming to lower vehicle speeds on local roads,” as well as “more facilities for people walking and biking” thus populating local roads with more pedestrians and further providing need for lower vehicle speeds; and

**WHEREAS**, research shows that the average risk of severe injury and/or death for a pedestrian struck by a vehicle is reduced by about half when struck at 20 MPH versus 25 MPH (Tefft, B.C. (2011). *Impact Speed and a Pedestrian’s Risk of Severe Injury or Death* (Technical Report). Washington, D.C.: AAA Foundation for Traffic Safety); and

**WHEREAS**, reducing the speed limit to 20 MPH on designated streets will ‘enhance safety’ as well as ‘quality of life,’ implementing primary themes of Volume 2 of the Nehalem Bay Transportation System Plan for Manzanita.

**Now, therefore, the City of Manzanita (the “City”) does ordain as follows:**

#### **Section 1. Definitions**

The following words and phrases, as used herein, shall have the following meanings:

- A. Highway - Every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right, consistent with ORS 801.305.
- B. Designated speed - The speed that is designated by the City as the maximum permissible speed for a highway and that may be different from the statutory speed for the highway, consistent with ORS 810.180.
- C. Statutory speed - The speed that is established as a speed limit under ORS 811.111, or is established as the speed the exceeding of which is prima facie evidence of violation of the basic speed rule under ORS 811.105.
- D. Residence district – Consists of all territory described under ORS 810.180(12) or ORS 801.430.

E. Non-Arterial Highway – A highway that is not used primarily by through traffic.

**Section 2. Ordaining Clauses**

- A. Consistent with ORS 810.180, the City of Manzanita establishes a designated speed of 20 MPH, five MPH lower than the statutory speed of 25 MPH, on all non-arterial highways in residence districts.
- B. Consistent with ORS 810.180(11)(c), the designated speed established by this Ordinance shall become effective on a non-arterial highway when signs giving notice of the designated speed are posted at each end of that non-arterial highway and at such other places on the non-arterial highway as may be necessary to inform the public.

**Section 3. Violation - Penalty**

- A. Consistent with ORS 811.109, exceeding a designated speed posted under ORS 810.180 (Designation of maximum speeds) is punishable as follows:
  - a. One to 10 miles per hour in excess of the designated speed is a Class D traffic violation.
  - b. 11 to 20 miles per hour in excess of the designated speed is a Class C traffic violation.
  - c. 21 to 30 miles per hour in excess of the designated speed is a Class B traffic violation.
  - d. Over 30 miles per hour in excess of the designated speed is a Class A traffic violation.

Read the first time on \_\_\_\_\_, and moved to second reading by \_\_\_\_\_ vote of the City Council.

Read the second time and adopted by the City Council on \_\_\_\_\_.

Signed by the Mayor on \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Leila Aman, City Manager/Recorder